

Why standard assessment processes are culturally inappropriate

Perspectives of professionals from Aboriginal and Torres Strait Islander organisations, non-government agencies and government departments

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- *The Recruitment, Retention, and Support of Aboriginal and Torres Strait Islander Foster Carers: A Literature Review* (Richardson, Bromfield, & Higgins, 2005); and
- *Enhancing out-of-home care for Aboriginal and Torres Strait Islander young people* (Higgins, Bromfield, & Richardson, 2005).

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“It’s not just a matter of putting out there that we need more foster carers: ‘Have you thought of fostering?’ ‘Anybody from any walk of life can foster’. I have a real problem with that because I think fostering is a real specialised area and you are going to have to recruit people who have very particular qualities.” (non-Indigenous carer)

Standard assessment processes have a dual purpose. They are designed to determine a carer’s capacity to provide care within a framework of mainstream (Anglo-European) culture, parenting values and family life, as well as middle-class living standards. They are also designed to screen out undesirable carers such as those who are likely to abuse children or expose them to adverse situations (e.g., violence or crime). However, when attempting to assess carers within in an Aboriginal and Torres Strait Islander context, standard assessment procedures are unsuitable as they fail to elicit relevant information, and overlook the cultural needs of Indigenous children in care.

The study

In a national study, the Australian Institute of Family Studies conducted interviews with *professionals* from government, non-government and Indigenous agencies, as well as *carers* of Aboriginal and Torres Strait Islander children and Indigenous *young people* in care (the *participants*). Participants were asked to talk about what they thought were barriers in the assessment process that deterred potential carers from following through with their intent to become carers.

In this paper, we discuss four shortcomings raised by participants in relation to current assessment procedures when used to assess potential Aboriginal and Torres Strait Islander carers:

- they are based on Anglo-European parenting values and living standards;
- they may unfairly exclude some Indigenous adults with a criminal history;
- they do not effectively determine an Aboriginal and Torres Strait Islander carer’s suitability to care for an Indigenous child; and
- they are not in accord with the communication style of Indigenous people.

Participants told us that there was a need to develop assessment procedures that reflect an understanding of Aboriginal and Torres Strait Islanders’ culture, community values and parenting practices, as well as the disadvantaged social and material circumstances that characterise many Indigenous people’s lives.

Participants believed this would be an important step in enhancing the recruitment of more Indigenous carers. To this end, participants identified four promising approaches:

- using a flexible approach to assessment criteria;
- adapting assessment tools to reflect an Indigenous communication style;
- harnessing community knowledge in the assessment process; and
- collaboration between agencies and state/territory child protection departments in the approval process.

Current assessment tools are based on Anglo-European living standards and parenting values

Current assessment tools based on middle class living standards. Material resources are considered core elements of parenting and an examination of these resources are key aspects of assessment for prospective foster families. Aboriginal and Torres Strait Islander communities have higher rates of poverty and reliance upon welfare assistance. This results in some families having lower levels of financial and material resources to care for children, translating into lower life expectancies, standards of housing, clothing and hygiene (Australian Bureau of Statistics, 2003). When Aboriginal and Torres Strait Islanders are assessed on criteria that equate material resources with the capacity to provide an adequate standard of care, Aboriginal and Torres Strait Islander families are more likely to be deemed unsuitable to care for children. However material disadvantage alone is not an indicator of child maltreatment risk (or lack of capacity to provide care and protection). Flexibility and communication about assessment procedures in relation to material circumstances are therefore important:

“One family was living under a tree and agreed to move to an out-station, which is nothing more than a tin shelter – but it made all the difference for us to consider them suitable to receive the child.” (Departmental placement support worker)

The difficulty many professionals face is that they do not want to exclude good carers due to their material disadvantage, but nor do they want to overlook the hardships many of these families face and be potentially complicit in placing a child into poverty.

Current tools assess for Anglo-European parenting and family values. Assessment is conducted on the premise that there are certain qualities and characteristics of parenting that enhance a child's development. It seems likely that children have many common needs that transcend cultural differences. For example, it appears evident that parental warmth and responsiveness are necessary for healthy psychological adjustment, irrespective of cultural differences (Barlow, Coren, & Stewart-Brown, 2002). However, it has been strongly argued that the concept of "good" or "optimal" parenting is socially constructed and is influenced by culturally bound beliefs.

Different cultures have unique views about what constitutes a competent and successful child and/or adult and as such there are different cultural perspectives on what parental practices are desirable in order to promote these qualities. It has also been argued that the use of standard assessment tools to assess the ability of Indigenous families to care for children can lead to culturally biased and discriminatory outcomes because Indigenous parenting practices can be incorrectly viewed to be indicative of risk to the safety and wellbeing of the child (Fontes, 2005). For example, the traditional practice of extended family care, where Indigenous definitions of "family" are broader and more inclusive than in Anglo-European culture, may be viewed from a Western perspective as promoting poor attachment between mother and child.

While professionals agree that any adaptation of assessment tools must prioritise the interests of the child, the best interests of Indigenous children may be different from non-Indigenous children. For example, in one jurisdiction, assessment criteria stipulated that a foster carer could only have a certain number of children in care at any one time, and each foster child must be provided with separate sleeping arrangements. Yet this is quite different from the common living arrangements of many Aboriginal and Torres Strait Islander families:

"The old assessment unit said that every child must have a bedroom of their own with their own wardrobes, their own dressing table type space. What we have been able to do over a long period of time is say that

Indigenous children – sometimes because of lifestyle – have never had to sleep in their own room. We had three children in foster care – young children. They were with a non-Indigenous foster carer and these children would cuddle up on the couch during the day and sleep. And they all slept in beautiful bedrooms... these children would cry all night. They couldn't sleep. They wandered and they weren't able to rest. During the day, the foster carer inevitably found them curled up in the single lounge chair sleeping together and so they asked, "What's the problem? What's the matter?" And so we asked the birth family about this and these children had never been parted. They slept in one bed. And so the foster carer put three beds in the same room and they slept beautifully. It was about acknowledging that these children had different needs." (Aboriginal and Islander Child Care Agency representative)¹

Participants highlighted the need to include a consideration of cultural elements in assessment tools.

Participants told us that when evaluating the suitability of an Indigenous family to provide care, there should be less focus on conventional home environment characteristics, such as the family's material resources (see Paper 2 for a discussion of this issue).

Indigenous carers may be unfairly excluded due to past history

Having to undergo a police check deters many potential carers. One of the most significant deterrents in relation to assessment for Aboriginal and Torres Strait Islanders' willingness to become foster carers was the need to undergo a police check. One agency representative discussed the sensitivities involved in this:

"How do you put a police check on Elders? It needs to be mandatory, but it's how you approach it that matters. We've spoken to the Elders here, and they don't have a problem with it. It's how you say it. I have to have a police check as well." (Aboriginal and Islander Child Care Agency representative)

A disproportionate number of Aboriginal and Torres Strait Islanders have police records, often for minor offences relating to public drunkenness – in some cases these charges may be a reflection of discrimination against them, particularly from past policing practices. An Indigenous youth worker working in an Indigenous service talked about his own criminal record, and how this had come about for him and people like him:

¹ In quotations we have replaced the terms "Aboriginal" or "Aboriginal and Torres Strait Islander" or "Torres Strait Islander" with "Indigenous" to protect the identity of the participants

“In 1967 Indigenous people were allowed in the pubs, alcohol – and policing it – was a big problem at this time. This was also a time when Indigenous people were locked up for anything. People like me who are now in their forties and want to be a carer were affected by these things in the late 1960s and 1970s. These are really good people who would be really good carers, but they have criminal records – for offences that racism impacted on them getting charged for – that make them think there is no way they could ever be a carer, so they don’t apply.”

Given the sociopolitical context of many Aboriginal and Torres Strait Islanders’ criminal history, many professionals pointed out that a police record should not automatically exclude a person from becoming a carer. While child safety is always a first priority, some offences are not going to impact on a person’s current capacity to provide appropriate care.

Overcoming inflexible criteria in relation to police checks

When discussing the over-representation of Aboriginal and Torres Strait Islanders with criminal records one participant from an Aboriginal and Torres Strait Islander organisation said:

“There are some things you can’t get past. If there are sexual offences, or recent [domestic violence] offences, or extensive drug trafficking offences – there are things that you can’t get past. Many of our Indigenous people have histories—and I am talking about past histories—that are offences that Indigenous people will be picked up for because they are Indigenous, because they are on the street, because they have had a couple of charges and they’re out on Saturday night, they can be arrested and locked up. Not necessarily for drunk disorderly, or any of the other charges or physical abuse but because simply they’re Indigenous and they’re on the street and they’ve had a couple of charges... And so it’s about being able to work with the department to filter through some of that.

We have a foster carer who when he was 17 was charged with a sexual offence... and he actually said that he had a sexual offence when he was 17 (he is now 48 years old). When we asked him about it, it was because he was 17 and the girl was 16. The [girl’s] mother – non-Indigenous mother, Indigenous boy – when they found out that the girl was pregnant they charged the young boy. When they were both 19 they married, were married for twenty years and had several children. This is an offence that had happened but didn’t exclude him from becoming a foster carer.

We actually say: talk to us about what the offence is because we can – depending on what the offence is – we can help.” (Aboriginal and Islander Child Care Agency representative)

There was clear agreement among the participants that stringent evaluation be carried out in relation to criminal history checks, particularly in relation to sexual abuse, domestic violence, and alcohol abuse. However there was recognition that assessment procedures must address how to make appropriate judgments on a person’s suitability to be a carer in the light of their criminal history, and within an Indigenous context. Matters that were highlighted as areas of possible flexibility include juvenile records, types of offences, time since last conviction, and underlying causes of offences and whether these pose a risk for the safety of children in care. Participants emphasised that there should be no negotiation on recent offences or criminal offences against children. According to participants in this study, no jurisdiction had developed an assessment tool to guide the evaluation of criminal histories of Indigenous applications. In some cases, organisations had already made assessment criteria more flexible and noted that it was important that the pool of potential foster carers were aware of this or they would not pursue their application. Participants also highlighted that more flexibility in assessing material standards would also take account of the social disadvantage of many Aboriginal and Torres Strait Islanders when assessed according to “middle class criteria”.

Current tools do not assess a carer’s capacity to care for an Indigenous child

Assessing non-Indigenous carers’ cultural competency. Participants told us that there was an increasing need to assess a potential non-Indigenous carer’s cultural competency and awareness when placing an Aboriginal or Torres Strait Islander child in their care. This required the inclusion of cultural aspects into care planning, maintaining Indigenous children’s connection with their parents, extended family and community, and facilitating their understanding of their language and culture. In order for out-of-home care placements to meet the cultural needs of Aboriginal and Torres Strait Islander children, non-Indigenous carers of Indigenous children must be able to facilitate the cultural well-being of Aboriginal and Torres Strait Islander children in care and therefore need to be assessed for this ability. One representative explained:

“Racist views are taken quite seriously by the assessment and training process – quite a lot of work

is done with applicants to ensure people who come into the situation of caring for a child with a different culture from their own are not racist.” (non-Indigenous service provider)

However, several professionals pointed out that it might also be important to assess the cultural competency of Indigenous families:

“Often Indigenous children will be placed with an Indigenous family who are not from the same region or clan. Just because the carer is Indigenous does not mean they will know how to connect the child with their family and community and have a knowledge of a child’s language or culture.” (Government policy worker)

Current assessment tools use a culturally inappropriate communication style

Inappropriate format and language. Participants highlighted that the format and language style of standard assessment procedures and forms were not suited to the communication style of Aboriginal and Torres Strait Islanders. Standard processes were criticised as being very detailed and long and it was felt that potential Indigenous carers, particularly those in traditional communities, were unable (or had some difficulty) completing the assessment forms. The questions on these forms were viewed as being abrupt and intrusive and encouraging closed answers, particularly given that Indigenous communication patterns involve the exchange of information through sharing stories and “yarning”. As such, individuals sometimes provided closed answers to direct assessment questions and were reluctant to give up information, which hindered the ability to draw out information from potential carers.

Culturally sensitive topics. In addition to problems with communication style, there are certain topics that are quite culturally sensitive such as whether an individual was a member of the Stolen Generation, or issues about family violence. Potential carers may only be able to discuss some issues with persons of their own gender – and even then only after a certain level of trust has been developed.

In general, it can take some time to establish trust and engage with Indigenous people due to cultural norms and reasons such as a mistrust of government and the isolated nature of some communities:

“It can take several visits over a period of months to draw out the required information. If it isn’t handled properly, some families decide that the process is too invasive or involved and we only get half way through

(the assessment) before they discontinue.” (Aboriginal and Islander Child Care Agency representative)

“You have to be prepared to visit the family several times. Some applicants can move around a fair bit or have ceremonial duties. That is okay – you have to adjust to their lifestyle.” (Aboriginal and Islander Child Care Agency representative)

Red tape. A theme that emerged from the interviews with participants was that the actual idea of assessment was seen as “red tape” and was a disincentive to prospective Aboriginal and Torres Strait Islander foster carers. As shared care is an aspect of normal child-rearing practices for Aboriginal and Torres Strait Islanders, they sometimes do not understand the need for a formal assessment processes to provide care for Aboriginal and Torres Strait Islander children, especially with regard to kinship care:

“It can be a bit disrespectful to ask someone who has been an aunty to all the kids in the community to give references to say they are able to care for children. As someone from the community, I also feel uncomfortable.” (Indigenous government placement worker).

Professionals and carers alike agreed that although the child’s safety could not be compromised, many thought that a more appropriate style of communication could overcome this barrier.

Consulting the community. The community is an important source of information during assessment. Some participants told us that assessments are best conducted or endorsed by Aboriginal and Torres Strait Islander agencies or Aboriginal and Torres Strait Islander communities (for example, by a council of Elders):

“There have been a couple of occasions when it was known in the community that the (potential) family had drinking or domestic violence problems, but when we sought information, nobody let us know what the situation was until the child was in their care.” (Departmental placement support worker)

Literacy and numeracy. Another barrier to communication is that Aboriginal and Torres Strait Islanders in remote communities have higher rates of literacy and numeracy problems. This can often result in some embarrassment when asked to fill out assessment forms and applications and may also prevent some Aboriginal and Torres Strait Islander people from making enquiries about foster care:

“Families can display some embarrassment when asked to fill out forms for assessment and some do not proceed with the application process when they became aware of the detailed information required.” (Departmental representative)

Strategies to make the communication style of assessment tools more culturally appropriate

Conversational communication style. Indigenous agencies and departments in some states have adapted assessment procedures and materials for specific use with Indigenous carers. One particularly noteworthy example under trial in several locations was an assessment tool that reflected the communication style of Aboriginal and Torres Strait Islanders. The assessment tool attempted to encourage workers to use conversation to engage and facilitate more open answers from prospective carers. For example:

“Can you tell me your story about how you fit with this little one?” (Indigenous Departmental representative)

Issues that were covered included potential carers’ beliefs and values about children, how they were going to ensure children’s safety, their community supports and readiness to facilitate contact with birth family members. Although this assessment tool had not been evaluated, anecdotal evidence suggested that it was more successful in eliciting information than assessments that used a more direct and “intrusive” style.

Cultural competency. In order to ensure that Aboriginal and Torres Strait Islander children will be placed with carers who can provide culturally appropriate care, several jurisdictions have incorporated an assessment of a potential carer’s cultural awareness and competency as part of cultural support planning for the child.

One Aboriginal and Torres Strait Islander Child Care agency had developed a standardised assessment form that sought to document the ways in which the carer would maintain links with the child’s family and community and assess the level of support the carer would need to help them feel comfortable and confident in participating in cultural and community events. This assessment form was designed to evaluate the cultural competence of both Indigenous and non-Indigenous applicants.

Using Indigenous workers. It was pointed out by Indigenous and non-Indigenous professionals that there was some advantage if Indigenous workers

carried out assessments because they were able to better communicate with other Indigenous people and to establish trust.

Harnessing community knowledge when assessing potential carers

Using community referees. Given the cultural sensitivities and communication difficulties encountered when assessors attempt to elicit information about a family’s lifestyle and parenting skills, there was an identified need, highlighted by professionals, to more effectively harness the knowledge of community referees in assessment procedures. Access to community knowledge was seen to be extremely important in being able to adequately facilitate information sharing and to make decisions based on this information.

Collaboration between agencies and the department in the approval process. Participants told us there were varying arrangements in terms of who was responsible for undertaking assessments and approving the registration of carers. In jurisdictions in which the Aboriginal and Islander Child Care Agency undertook assessments but the department was responsible for registering carers, many participants noted that a strong working relationship between these two parties was necessary. In one jurisdiction, Indigenous agency representatives were particularly critical of communication from the department on the approval process: they did not receive any notification from the department on why particular families were not approved. This was a particular frustration for the Aboriginal and Islander Child Care Agency:

“This information could help us adapt recruitment and selection practices to find more suitable carers. We could also work with the rejected carers to help them come up to scratch for the assessment.” (Aboriginal and Islander Child Care Agency representative)

Promising practice in this area was evident in jurisdictions where there was a partnership approach to carer registration. This involved considerable liaison between the Aboriginal and Islander Child Care agency and the department in the approval process. In instances where a family was not approved, the Aboriginal and Islander Child Care agency was informed of the reasons this was the case. This enabled the Indigenous agency to work with the family to make changes to pass requirements or even negotiate with the department to make concessions regarding particular requirements. One non-Indigenous agency representative explained:

“There is an assessment network in the city, where assessment workers get together to talk about time waits, police checks, health checks, referee checks, dilemmas of assessment, trying to provide consistent practice across all services, and managing risk within the assessment process. The Aboriginal and Islander Child Care Agency [representative] comes to that, and we work together to look at the dilemmas – it’s for all agencies whether they’re [department] funded or private organisations.” (Non-Indigenous agency representative)

It was highlighted that this ability to negotiate reflected a particularly strong understanding and partnership between the Aboriginal and Islander Child Care Agency and the department.

Conclusion

Current assessment procedures are based on Anglo-European, middle class values and parenting standards and are inappropriate when used to assess potential Aboriginal and Torres Strait Islander carers, or potential non-Indigenous carers of Indigenous children. The strict assessment criteria may also exclude some Indigenous adults with a past criminal history that has no current bearing on their capacity to provide appropriate care for a child. Further, the current assessment procedures use a communication style that is alienating to potential Indigenous carers. In response to these issues, some states and territories have effectively adapted assessment tools and practices so they are more suitable for use with potential Aboriginal and Torres Strait Islander carers and non-Indigenous carers of Indigenous children. Professionals also identified three promising initiatives in the assessment process. Firstly, taking a flexible approach to assessment criteria was thought to reflect Aboriginal and Torres Strait Islander people’s material circumstances and the socio-political context of police records for lesser offences. Secondly, adapting the communication style of assessment tools to reflect an Indigenous context was seen to be an important step in making assessments more culturally appropriate. Harnessing community knowledge in the assessment process was also seen as a more culturally sensitive way of gathering information about a potential carer’s capacity. Finally, collaboration between agencies and the department was seen as an important component in the approval process of potential carers, and there were successful examples of promising practice in this area.

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