

Dardee Boorai:

Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People



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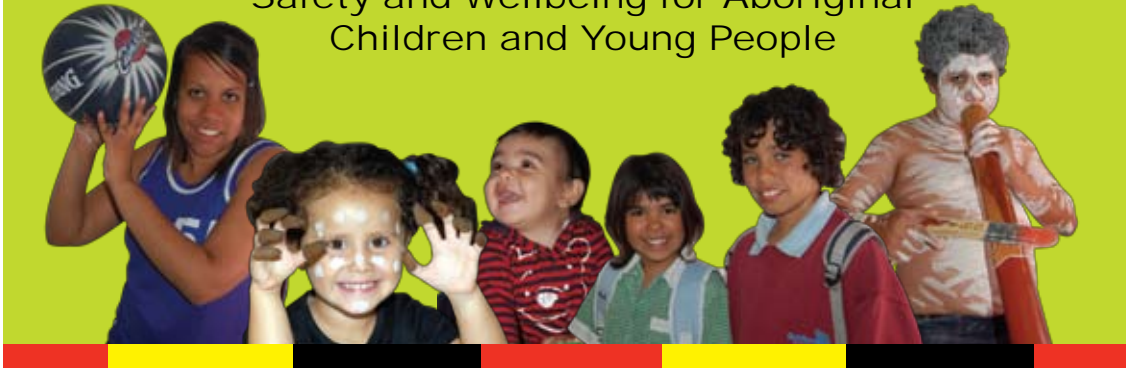
The Victorian State government would like to thank and acknowledge the Gunnai people for allowing us the use of the words "Dardee Boorai" to represent the Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People.

Dardee Boorai means – strong children.

Thanks to: Akira Edwards, Andreas Hood, Djava Tologata-Thompson, Drew Wilson, Teekin Edwards and Wayne Edwards.

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Dardee Boorai: Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People



Preamble

Victoria's Aboriginal children and young people¹ belong to one of the oldest living cultures in the world. Aboriginal people have lived in the area now known as Victoria for at least 30,000 years. Aboriginal culture and cultural identity are bound up in a deep spiritual connection to country and links today's Aboriginal people with the ancestors going back more than 1600 generations.

Aboriginal communities are strong and resilient, have an enduring and essential connection to country, and have survived and grown despite colonisation and dispossession.

Dardee Boorai: the Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People has been developed in recognition that, despite the strength of Aboriginal families and culture, many Aboriginal children and young people continue to experience significantly worse outcomes in life than non-Aboriginal children.

The Victorian Government and Aboriginal communities are determined to change this situation. They commit to working in partnership to make a real improvement in outcomes for Aboriginal children and young people across the Charter's five domains of safety, health, development, learning and wellbeing.

The Charter is grounded in the *Child Wellbeing and Safety Act 2005* which commits the Government to develop and promote a Charter of wellbeing for Aboriginal children in consultation with the community.

It also recognises the impact of past removal policies, particularly the Stolen Generations of Aboriginal and Torres Strait Islander children who were forcibly removed from their families and communities by the State and Territory governments of Australia.

The Victorian Government is committed to not repeating mistakes of the past.

The Charter acknowledges the following:

- Culture as central to building resilience and improving outcomes for Aboriginal children and young people
- Collective responsibility for children
- Opportunity to reach potential
- Outcomes focus
- The central importance of parents, family and community.

At the heart of Aboriginal culture is the vital importance of family. Family for Aboriginal people is defined widely and inclusively and extends beyond formal blood ties to include parents, aunts and uncles, cousins, grandparents, Elders and other significant people in the community. Children growing up with a non-Aboriginal custodial parent have particular needs in developing their cultural identity and connection to community.

Culture, respect and family harmony are the fundamental elements of family life, child rearing and kinship maintenance. Culture consists of complex systems of obligations and responsibilities that bind all members of their kinship system through a strong oral history that is dynamic and responsive to changing circumstances and environments.² Family harmony is premised on the principle of reciprocity – a mutuality of expectations.³

Improving outcomes for Aboriginal children and young people is dependent on ensuring that parents and extended families are supported to be capable and confident. In turn, positive outcomes for children are dependent on strong and supportive communities and an enabling society.

Aboriginal culture is already rich in the protective factors that promote resilience, such as connection with family, social networks and participation in community activities. Under the Charter, Government and community will work to promote and support these protective factors while trying to minimise the risk factors (low birth weight, family violence, child abuse and neglect, low maternal age, low levels of education and socio-economic disadvantage) that can affect the development and achievement of children and young people.

Government and community are committed to ensuring that families are supported in their primary role through the combined efforts of Aboriginal agencies and mainstream services working cooperatively together. Families have the right to raise their children without unwarranted scrutiny.

The partnership between Government and Aboriginal communities must work to build robust,

viable and skilled Aboriginal agencies so that, as far as possible, Aboriginal families and communities have access to organisations that are managed and delivered by Aboriginal people.

Mainstream services must support Aboriginal children and families, and provide support that is both technically and culturally competent. Community services registered under *The Children, Youth and Families Act 2005* must build cultural competence and meet standards that require it.

It is vitally important for Aboriginal community controlled organisations and mainstream agencies to work together for the betterment of Aboriginal children and young people.



Jill Gallagher

Chair, Aboriginal Children and
Families Advisory Committee
CEO VACCHO



Maxine Morand MP

Minister for Children and Early
Childhood Development



Rights

The Charter articulates the philosophical framework set out in the various human rights instruments that Victoria is party to, including the Victorian Charter of Human Rights and Responsibilities - one of the founding principles of which is that “human rights have a special importance for the Aboriginal people of Victoria.”

The Victorian Charter of Human Rights and Responsibilities also provides that every child has the right to such protection as is in her or his best interests, and that families are a fundamental unit of society and are entitled to be protected by society and the State.

International human rights instruments to which Australia is a party, such as the International Covenant on Economic, Social and Cultural Rights, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Convention on the Rights of the Child (CROC) and the International Convention on the Elimination of all Forms of Racial Discrimination, affirm the rights of Aboriginal children and young people to:

- Respect for their identity as the Aboriginal people of Australia
- Maintaining connection to land, community, kinship and culture
- Freedom from discrimination
- Access to education and health services.

The Charter recognises the rights of Aboriginal children and their families to the types of culturally competent services needed to achieve better outcomes.

The rights of children and families are linked to the rights of Aboriginal people more broadly: participation of children in decision making is important and the raft of legal rights of children, and particularly young people, are not precluded. These rights are reflected in the principles which underpin the Charter and support the outcomes which government and community wish to achieve for Aboriginal children and young people.

Working together

In signing the Charter, the Victorian Government and Aboriginal community representatives commit to improving safety, health, development, learning and wellbeing outcomes for all Aboriginal children and young people in Victoria.

Community and Government have worked together in good faith to develop this Charter based on shared understandings of values and desired outcomes. Implementation is dependent on the good will and participation of Aboriginal children and young people, families, communities, community controlled organisations and the Victorian Government.

The Victorian Government commits to:

- Provide equitable, culturally competent service delivery of programs to support families to protect and improve the safety, health, development, learning and wellbeing of

Aboriginal children and young people.

- Support the Aboriginal community controlled sector (capacity building, leadership etc).
- Respect the priorities and values of Aboriginal people.

Key roles for the Victorian Aboriginal community are to:

- Teach Aboriginal children and young people their cultural heritage and obligations and foster pride in their identity as Aboriginal and Torres Strait Islander Australians.
- Work through the Aboriginal community controlled sector and with mainstream services to provide culturally safe services for Aboriginal children, young people and their families.

A key role for Aboriginal families is to:

- Provide a nurturing, caring, safe, supportive environment for Aboriginal children and young people, that supports their learning and development and keeps them safe.

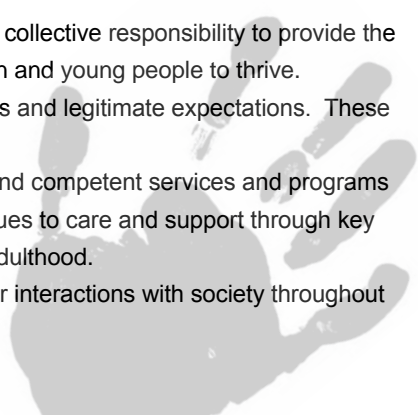
Aboriginal children and young people are encouraged to:

- Learn from Elders and respected persons and respect their cultural heritage.
- Strive to maximise their potential in life.

Principles

Through Dardee Boorai: the Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People, the Victorian Government and the Victorian Aboriginal community commit to the following:

- Families are central to Aboriginal children's health, welfare, safety, development, learning and wellbeing.
- Universal services are culturally competent and provide a culturally safe environment that welcomes and supports Aboriginal children, young people and families.
- Government and Aboriginal communities will work in partnership to achieve better outcomes for Aboriginal children and young people across all five domains of the Charter.
- Aboriginal children and young people are given every opportunity to achieve their full potential in life.
- Governments, communities and families have a collective responsibility to provide the best possible environment for Aboriginal children and young people to thrive.
- Aboriginal children and young people have rights and legitimate expectations. These include:
 - Access to high quality, culturally responsive and competent services and programs that reflect and respect Aboriginal cultural values to care and support through key transitional stages from pre-birth through to adulthood.
 - To be treated with justice and equity in all their interactions with society throughout their lives.



- To live in communities that are safe and free from violence, racism and discrimination, including having their cultural safety maintained.
- To identify as Aboriginal and Torres Strait Islander Australians and be proud of their history, cultural beliefs and practices without fear of discrimination and/or retribution.
- To maintain connection to the land, community, family and kinship systems and be taught their cultural heritage and obligations by Elders and respected others so as to benefit from their knowledge.
- To practise and revitalise their culture and customs. This includes the right to maintain, protect and develop all elements of their culture, past, present and future.

Outcomes and Progress Measures

The Victorian Government and the Victorian Aboriginal community share the same aspirations for Aboriginal children and young people. The following outcomes cover the five Charter domains of safety, health, development, learning and wellbeing.

They are closely aligned to relevant COAG outcomes focused on Aboriginal children and are consistent with the Victorian Indigenous Affairs Framework (VIAF).

1. Aboriginal children are born healthy and have the same health outcomes as other children.
2. Aboriginal children's living environments are healthy.
3. Aboriginal children and families are safe and protected from violence and neglect in their homes and communities.
4. Aboriginal children acquire fundamental skills for life and learning, prior to attending formal schooling.
5. Aboriginal children have access to affordable, quality early childhood education in the year before formal schooling as a minimum.
6. Aboriginal children meet literacy and numeracy standards and overall levels of literacy and numeracy are improving.
7. Aboriginal children are engaged in and benefiting from schooling.
8. Aboriginal young people make a successful transition from school to further work and study.

The Charter reaffirms the Victorian Government's commitment to the COAG targets for closing the gap in Aboriginal life outcomes:

1. Close the life expectancy gap within a generation.
2. Halve the gap in mortality rates for Aboriginal children under five within a decade.
3. Halve the gap in employment outcomes between Aboriginal and non-Aboriginal Australians within a decade.
4. Halve the gap for Aboriginal students in reading, writing and numeracy within a decade.

5. All four year olds have access to quality early childhood education within five years.
6. At least half the gap for Indigenous students in year 12 attainment or equivalent attainment rates by 2020.

In order to meet these targets, effort will be required across a range of sectors including education, child protection, family violence, health, housing and employment. The Government will measure progress in achieving these targets through existing and evolving performance reporting processes. Outcomes for Aboriginal children and young people are already prioritised through COAG and the VIAF; implementation of the Charter will draw its outcomes focus from this work.

The Government is committed to addressing systemic racism⁴ and cultural respect⁵ in recognition that social justice and the achievement of better outcomes for Aboriginal Victorians rely on respect for Aboriginal people and their culture, and that the linkages between discrimination and disadvantage that were identified by the Royal Commission into Aboriginal Deaths in Custody continue to be a significant barrier for Aboriginal people. At the time of writing, robust progress measures are in development.

Accountability

It is fundamental to the Charter's success that there are clear accountability mechanisms both to community and government. A separate Charter implementation strategy will set out clear reporting processes and timelines. These will be reflected in the 10 Year Plan for Victoria's Aboriginal Children and Young People which will be developed in 2009.

Glossary

COAG	Council of Australian Governments. The Commonwealth and all State and Territory governments.
VCAMS	Victorian Child and Adolescent Monitoring System.
VIAF	Victorian Indigenous Affairs Framework. The Victorian Government's policy framework for Aboriginal affairs.
Charter domains	<p>For the purposes of the Charter, the reference to <i>wellbeing and safety</i> is assumed to also include health, learning and development. This is consistent with recognition under the VIAF not only of the right of Indigenous people to drive policy but building the policy links between economic, education, health and justice outcomes.</p> <ul style="list-style-type: none"> • Child <i>safety</i> implies protection from unreasonable risk of injury, accident, harm or exploitation; and that the places and the people involved in their care do not increase these risks. • Child <i>health</i> implies not just the absence of disease—since some disease is part of life—but protection from damage or danger as a result of disease, whether physical or psychological. • Child <i>development</i> implies opportunities needed for growth, maturation and greater complexity in behaviour and interactions with others, all of which change as children grow. • Child <i>learning</i> implies opportunities for interactions with others and discovery of the world, the acquisition of skills and understandings. • Child <i>wellbeing</i> implies resilience, social confidence, secure cultural identity and protection from prolonged isolation, emotional trauma or exclusion.

Footnotes

¹ The word 'Aboriginal' is used throughout this document to include all people in Victoria of Aboriginal and/or Torres Strait Islander descent. The word 'Indigenous' is only used when referring to existing documents or policies such as the Victorian Indigenous Affairs Framework.

² Judy Atkinson *Trauma Trails Recreating Song Lines: The Transgenerational Effects of Trauma in Indigenous Australia*. Spinifex Press 2002 p. ix.

³ Commonwealth Department of Families, Community Services and Indigenous Affairs, Occasional Paper No.15 *Aboriginal and Torres Strait Islander views on research in their communities Professor Robyn Penman Footsteps in Time: The Longitudinal Study of Indigenous Children* page 35.

⁴ Paradies et al (2007) *The Impact of Racism on Indigenous health in Australia and Aetearoa: A Research Agenda* (Cooperative Research Centre for Aboriginal Health) define systemic racism as "requirements, conditions, practices, policies or processes that maintain and reproduce avoidable and unfair inequalities across ethnic/racial groups. Systemic racism is the most pervasive form of racism across a range of life domains such as education, employment and housing. These life domains have, in turn, been found to strongly influence health and wellbeing". Systemic racism is the form of racism most clearly influenced by organisations including government, and therefore outcomes and measures should be focused on this type of racism.

⁵ Cultural resilience and strong cultural identity have been identified as protective factors for Aboriginal children, families and communities (Chandler and Proulx "Changing Selves in Changing Worlds: Youth Suicide on the Fault Lines of Colliding Cultures" in *Archives of Suicide Research*, 10:125–140, 2006).

