



Secretary

Department of Health and Human Services

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Rebecca Hudson
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By email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Hudson

Investigation into the death of Zakiya Thomas – COR 2015 002417

Thank you for your letter of 24 February 2020, received by my office on 28 February 2020, enclosing Coroner Bracken's finding into the death of Zakiya Thomas and recommendations made to child protection and the Victorian Government.

Victoria's child protection service is delivered by the Department of Health and Human Services (the department). The department is also responsible for the delivery of mental health policies and programs in Victoria.

Coroner Bracken has made five recommendations, two of which require a response from child protection, the department and/or the Victorian Government. Recommendation one is directed to child protection and the Aboriginal Child Specialist Advice and Support Service (ACSASS), and recommendation two is directed to the Victorian Government, child protection and the Mallee District Aboriginal Service (MDAS).

I provide the following responses to each recommendation on behalf of child protection, the department and the Victorian Government.

Response to recommendation one

Recommendation one is that:

'Child Protection and ACSASS consider reviewing their systems for enabling joint input and engagement with vulnerable Aboriginal youth in their catchment areas upon notification of an incident. A protocol should be established to ensure that any investigation involving Aboriginal youth is not completed without input of both services.'

The department has considered this recommendation and proposes to focus, with ACSASS, on ways in which child protection and ACSASS can continue to improve their systems for working together and engaging with vulnerable Aboriginal children.

As the Court may be aware, section 12 of the *Children, Youth and Families Act 2005* requires child protection, when making a decision or taking action in relation to an Aboriginal child, to give members of the Aboriginal community to which the child belongs the opportunity to contribute their views.

ACSASS is a program funded by the department to support this legislative requirement. The program provides relevant information to child protection to inform the assessment of all reports of abuse or neglect of Aboriginal children and provides culturally attuned advice and consultation to child protection regarding significant decisions that affect Aboriginal children with whom child protection is involved in all phases of child protection intervention.

The department funds four Aboriginal Community Controlled Organisations to provide ACSASS throughout the State of Victoria.

In 2018, the department and ACSASS providers jointly undertook a comprehensive review of ACSASS. The review examined all aspects of service delivery, leading to co-designed revised guidelines for ACSASS, which were implemented in 2019. The review clarified and strengthened the definition of significant decisions and increased the number of ACSASS providers in Victoria to deliver a more locally attuned service.

As such, a further review of the ACSASS system is not considered necessary at this time. The current guidelines for ACSASS enable joint input and engagement in relation to Aboriginal children, particularly after a report of an incident. They also stipulate that child protection must consult with ACSASS at the time a report is made. This assists in ensuring that decisions are culturally informed, draw upon relevant local knowledge, and are made in the best interests of Aboriginal children.

ACSASS practitioners often accompany child protection practitioners when investigating protective concerns about Aboriginal children, providing a cultural lens for child protection practitioners and assisting families to engage with culturally appropriate local services. Guidelines and procedures in the Child Protection Manual detail this approach to service delivery.

The department considers that a protocol between child protection and ACSASS is not required as the obligation to consult with ACSASS in section 12 of the *Children, Youth and Families Act 2005* is supported by policies, procedures and advice in the Child Protection Manual, as well as the *Protocol between the Department of Human Services Child Protection Service and the Victorian Aboriginal Child Care Agency (VACCA), inclusive of the agreement between Child Protection Service and Mildura District Aboriginal Services (MDAS)*. The revised guidelines for ACSASS, implemented in 2019, are published in the Child Protection Manual for ease of use, and to promote greater understanding among child protection practitioners of the requirements for consultation. Following the implementation of the revised guidelines for ACSASS in 2019, the Child Protection Manual was amended to note the requirement for consultation with ACSASS at the point of case closure.

The department and child protection will continue to work with ACSASS to strengthen existing systems for collaboration when responding to the needs of vulnerable Aboriginal children.

Response to recommendation two

Recommendation two is that:

'the Victorian Government, Child Protection and MDAS should consider the high rate of Aboriginal youth suicides in the Mildura region in future planning with respect to the allocation of resources and provision of services to the Mildura community and in dealing with cases such as this one.'

The Victorian Government and the department are implementing this recommendation.

A range of suicide prevention and Aboriginal mental health initiatives have been implemented in the Mallee region since 2015 in recognition of the high rates of suicide in the Mildura community. An outline of these initiatives, and future plans, is provided below.

Victorian Suicide Prevention Framework

In 2016, the Victorian Government released the *Victorian Suicide Prevention Framework 2016-25*, supported by \$27 million in funding over four years for the following two initiatives:

- Place-based suicide prevention trials. These trials are being delivered in partnership and co-commissioned with Primary Health Networks (PHNs) in 12 sites across Victoria, supporting local communities to develop and implement local suicide prevention strategies. Mildura was selected as one of the 12 sites for this initiative.
- The Hospital Outreach Post-suicidal Engagement (HOPE) initiative at six sites. The HOPE program is a suicide aftercare program providing intensive wrap-around support for people following discharge from hospital for a suicide attempt or suicidal ideation. The 2018-19 Victorian Budget allocated an additional \$18.7 million to expand HOPE programs to an additional six hospitals, including Bendigo Health with outreach to Mildura Base Hospital.

Mildura Base Hospital Suicide Aftercare Service

A bilateral agreement with the Commonwealth Government has resulted in matched Commonwealth funding for state-funded HOPE sites, resulting in Mildura Base Hospital receiving funding in the 2018-19 Commonwealth Budget for Beyond Blue's the Way Back Support Service, matched by Victoria's funding for HOPE at Bendigo Health. The Way Back Support Service is a model of aftercare developed by Beyond Blue, also delivered to people who have presented to a hospital following a suicide attempt or people experiencing a suicide crisis. Mildura Base Hospital is in the final stages of commissioning a service provider for the Way Back Support Service, and is likely to commence service delivery in July 2020.

Mildura place-based suicide prevention trial

The Mildura place-based suicide prevention trial recognises the significant impact that suicide has on the Aboriginal and Torres Strait Islander community and has worked to understand and implement system responses to prevent Aboriginal suicide in the Mallee region.

The Aboriginal community and MDAS have worked on the systems approach to community suicide prevention in Mildura, and have designed, led and evaluated many of the trial interventions.

Governance of the Mildura trial includes both MDAS (as a sector representative) and Aboriginal people who have experience of suicide and suicidality. Combined with wider guidance (such as the Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project report), the trial seeks advice and considers proposed work in the context of Social and Emotional Wellbeing for Aboriginal people.

In reducing the risk of suicide for Aboriginal people in the Mallee, the Mildura trial has:

- supported research which has demonstrated the over-representation of Aboriginal people in Emergency Department presentations at Mildura Base Hospital (for suicidality and self-harm). This has informed the establishment of a Way Back Service (to be opened in Mildura shortly) which will provide assertive outreach and culturally informed psychosocial support for those attending the Emergency Department;

- resulted in the Way Back Support Service provider intending to employ a dedicated Aboriginal Peer Support Worker;
- supported the creation of promotional materials which clarify local help seeking pathways for those experiencing suicidal crisis (or for those concerned about them) which feature art from a local Aboriginal family who have been impacted by suicide;
- supported local people to attend events such as the National Suicide Prevention Conference and the National Aboriginal Suicide Prevention Forum – to build knowledge and capacity within the community;
- supported inclusion and cultural safety as part of the development of the new Sunraysia Mallee Community Suicide Prevention Network;
- supported Aboriginal led postvention and bereavement programs (such as yarning versions of Standby Murray’s ‘What do I say What do I do?’); and
- supported an Aboriginal specific postvention response protocol led by MDAS and linked to the National Indigenous Crisis Response Service.

In 2020, the Victorian Government announced further funding to continue the place-based suicide prevention trials for a further two years in sites including Mildura.

Shortly the trial will support the delivery of Child and Adolescent Mental Health Service Framework training for regional mental health practitioners (including those in the MDAS social and emotional wellbeing team). MDAS practitioners took part in the focus groups to assess this training in late 2019, and their recommendations on cultural adaptation are being included.

Improving mental health outcomes for Aboriginal and Torres Strait Islander People with moderate to severe mental illness (Demonstration Projects) Initiative

To improve access to culturally responsive services, the Victorian Government allocated \$20.2 million (\$7.7 million in 2016-17, \$4 million in 2018-19 and \$8.5 million in 2019-20) for four consortia demonstration projects to test new service models for Aboriginal people in Victoria who have moderate to severe mental illness, trauma and other complex health and social needs.

Mildura is one of the four demonstration projects funded under the *Balit Murrup: social and emotional wellbeing framework 2017-2027* and is led by MDAS in partnership with Mildura Base Hospital and Mallee Family Care.

While the MDAS demonstration project’s target cohort is Aboriginal people with moderate to severe mental illness in, or at risk of entering, the community corrections system (for whom unaddressed mental illness or mental disorder is a significant contributing factor), MDAS welcomes ‘walk-ins’ and referrals for all Aboriginal people including Aboriginal youth and young people.

MDAS and the Area Mental Health Service at Mildura Base Hospital are providing integrated and culturally safe coordinated care for MDAS clients. MDAS clients have access to weekly clinical psychiatry appointments at the Area Mental Health Service in Mildura Base Hospital.

The MDAS social and emotional wellbeing team have developed strong rapport and have continuous access to the hospital and hospital staff. This strong partnership provides the local Aboriginal community with a choice to utilise both clinical and non-clinical spaces across both organisations. This choice helps clients feel comfortable and supports culturally safe engagement.

Royal Commission into Victoria's mental health system – interim recommendations

The interim report of the Royal Commission into Victoria's mental health system (the Royal Commission) recommends that the Victorian Government expand social and emotional wellbeing teams throughout Victoria and that these teams be supported by a new Aboriginal Social and Emotional Wellbeing Centre. The expansion of social and emotional wellbeing teams would boost the capacity and further strengthen the commendable work currently being undertaken by MDAS to improve the social and emotional wellbeing, resilience and mental health of Aboriginal people, families and communities in Mildura and the surrounding region.

The Royal Commission recommends the expansion of the HOPE program to Mildura Base Hospital and notes that the HOPE teams should also work closely with the local Aboriginal social and emotional wellbeing teams.

Further, the Royal Commission recommends the creation, delivery and evaluation of the first phase of a new assertive outreach and follow-up care service for children and young people who have self-harmed or who are at risk of suicide. It is further specified that this service should be culturally appropriate for Aboriginal young people. The Victorian Government will fund the Royal Children's Hospital, Monash Children's Hospital, Alfred Hospital and Orygen in partnership to create, deliver and evaluate the first phase of a new youth assertive outreach and follow-up care service.

Data surveillance

The Victorian Government is working to improve the collection and analysis of suicide-related data, including establishing a data-sharing Memorandum of Understanding (MOU) between the department and the Coroner's Prevention Unit. The MOU has enabled more effective use of the Victorian Suicide Register, established by the Coroners Court in 2000, and supported improved data sharing and analysis to drive suicide prevention efforts.

The Mental Health and Drugs branch of the department continues to monitor trends and frequency of suicides across Victoria to inform suicide prevention programs and investment, and will continue to monitor suicide in Mildura to inform local action.

Should you wish to discuss this matter further, please contact Colleen Carey, Principal Solicitor, Legal Services on (03) 9096 8207 or colleen.carey@dhhs.vic.gov.au.

Yours sincerely



Kym Peake
Secretary

26/05/2020