

Towards real support for all Australian children in kinship care and their carers

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Commentary

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Abstract

The introduction to this article provides a brief overview of current issues in kinship care. This is followed by transcripts of two speeches given by kinship carers at a Kinship Care Forum held in Brisbane in 2020. In these speeches, the speakers described how they became carers, their commitment to the children in their care, the challenges they have faced, the children's development over time in their care and their struggles to achieve the support they needed.

There has been a significant rise in kinship care in many Western countries in recent years. 'Formal' or 'statutory' kinship care arrangements are increasingly being made in preference to other forms of out of home care, not only due to legislated policy directions that recognise the importance of enduring family relationships to children (Boetto, 2010; Selwyn & Nandy, 2012) but also due to difficulty in maintaining a sufficient pool of foster carers (Smyth & Eardley, 2007). However, the majority of kinship care arrangements in many countries, including Australia, are made informally among family members (Gibson & Singh, 2010; Selwyn & Nandy, 2014; Smyth & Eardley, 2007). Research has demonstrated a range of benefits of kinship care over placements that remove children from their family networks (Nixon, 2008). Carers however frequently experience a considerable burden of care. The role usually falls to women; carers are often single and tend to be older, poorer, less well educated and have more health problems than foster carers (Boetto, 2010). Children come with a legacy of trauma, abuse and neglect. Aboriginal children are highly over-represented in kinship care as in all forms of statutory care (AIHW, 2019). Relationships between parents and carers are often conflictual (Hunt et al., 2010). Informal caregivers are financially disadvantaged as they do not receive financial and casework support from State/Territory child protection authorities (McHugh & valentine, 2010). What services and support groups exist tend to focus on grandparents in the belief that grandparent care and kinship care are virtually synonymous.

Concern about poverty and disadvantage in kinship care appears frequently in the kinship care literature (see e.g., Eunju et al., 2017; Kiraly, 2015; Nandy & Selwyn, 2013; The Senate 2014). Poverty is known to influence children's life chances independently of other factors. It can harm the brain, lead to poor physical and mental health and create and widen achievement gaps among children (Tucker, 2016), as well as impacting on their families and home and community environment (Murphy & Redd, 2014).

With these issues in mind, Queensland organisations PeakCare and Integrated Family and Youth Services (IFYS) co-hosted a Kinship Care Forum in Brisbane on 26 February 2020, entitled *Towards real support for all Australian kinship children and carers*. The Forum explored a range of national issues relating to improving support for all children in kinship care and their carers, including legal and political aspects and Indigenous-specific issues. The afternoon session focused on young kinship carers, an often overlooked group. A panel of young kinship carers spoke of their experiences, including both the impact caregiving has had on their own lives and the positive development over time of the children in their care. The National Children's Commissioner, Megan Mitchell, launched a research report entitled *'We're just kids as well': towards recognition and support for young kinship carers* (Kiraly, 2020).

A programme of advocacy for universal kinship care support is in train with the aim of achieving real support for all Australian children in kinship care and their carers, whether informal or formal, Indigenous or non-Indigenous. Kinship carers of various ages are becoming adept at speaking out. Scheduled activities in 2020 included a full week of meetings in Canberra in late March, including discussions with Members of Parliament and meetings with government and non-government instrumentalities. While Covid-19 has stopped us all in our tracks for now, the advocacy programme will continue. Australian children in kinship care and their generous-hearted carers must not be allowed to remain in poverty and disadvantage.

The February Kinship Care Forum opened with two short keynote speeches by kinship carers, one a young aunt and one a grandmother. Each was caring for multiple children. The speakers described the way the children came into their care and their deep commitment

to them, the impact of caring over time and their advocacy efforts in relation to the children's and their own needs. Their speeches are reproduced here with permission.

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Tracey's experience

Tracey Hamilton is aunt to a niece and two nephews in Queensland. Following a period off work she has returned to full-time work in the hospitality industry. She achieved financial assistance after two years of constant battling, with the assistance of her local Member of Parliament.

Good Morning to you all.

My name is Tracey Hamilton and I am 32 years of age. I became a kinship carer at the age of 27 and still today am caring for my niece and two nephews. As for most kinship carers, the change of my future flashed before my eyes. Within 24 hours after a phone call from their Nanna, I had three children at my front door with one suitcase. Reality kicked in when I saw their faces, as they did not really know me. I didn't have a relationship with my sister and her partner. I did not know much about their past, but it didn't take long for me to realise that the children had been neglected and mistreated; they all had missed out on school for half of the year.

At that instance, I had no other choice but to resign from my full-time position and devote 24/7 to my niece and nephews. My boss said he was quite shocked that I became a mother to three overnight and hearing him say that shocked me too.

I contacted Child Safety Services to inform them that I was nominating myself to be the children's full-time carer from then till forever. They later attended my property that day and advised that my house was safe and secure for the children to reside in and closed my case.

Everything that I was planning for the future, such as buying my first home, my wedding and travelling, had to be put off due to set-up costs for the children. New clothes, new bedding and furniture, new car to fit us all in comfortably and new school, which all came out of my pocket. I was starting to get concerned that with no income and all this spending . . . what am I going to do?

As any millennial would do, I googled 'foster care' and 'caring for children'. Researching and discovering that, no, I am not a foster carer – I didn't apply to have the children in that way. I am a kinship carer – this was the first time I had ever heard such a word. However, Child Safety Services didn't recognise me in the same way. The Child Safety Officer advised me that the children are safe and happy residing with me, and the parents have agreed for now, so there is no order required.

My main concern was that at any time, the parents could turn up at our property and remove the children. And only then would Child Safety Services provide an order. Now, how can they allow that to happen? What would this do to the children?

One afternoon, their mother was arrested and was going to be incarcerated, leaving the children's youngest sibling aged 2 years without a parent. Child Safety Services contacted me to advise me that this had occurred and asked if I wished to take on the youngest. The three children that were in my care had no connection with their youngest sibling, as the mother and father had neglected the three in favour of her. Due to that reason, I advised Child Safety Services that I could not physically and mentally take on the youngest. However, my eldest sister, already a mother of five, made the decision to become her carer, as her youngest was the same age. From day one, my sister had full support from

Child Safety Services, and a family case plan was put in place for the youngest sibling and the parents. The case plan did not include myself or the three siblings I was caring for. It just didn't make sense to me. How can there not be a case plan for the other three siblings – they have the same parents?

So, this was a constant battle I was facing on a day-to-day basis. Multiple phone calls and emails back and forth from all different government departments and organisations, including Centrelink and Foster Care Queensland. I paid for legal advice – which didn't get me anywhere. All of them were advising me the same information. You require a legal order to be formally recognised as a kinship carer! So who was I then, if I wasn't a kinship carer?

The children had their own individual challenges, which I had no idea how to deal with as a parent, or even to understand. The eldest was diagnosed with Autism Spectrum Disorder when I took her to the paediatrician, and the youngest was very delayed due to only attending half of his first prep year of school, and no prior kindergarten. This all required professional services – speech therapist, occupational therapists, and psychologists – which cost a substantial amount of money per appointment.

The only documentation I had to help me get them into school or appointments was letters from friends, family, doctors, neighbours, and anyone who knew the children were residing with me. The children were not registered at birth, therefore I could not access birth certificates.

The struggle was real, but I wasn't going to quit. I advised the children that I am going to fight for them to get the right support that they deserve.

I went to my local Member of Parliament, Jarrod Bleijie. I had a meeting with his administrator who felt saddened for what I was going through and advised me to forward all correspondence to Child Safety Services to their office and wait to hear back from them.

I called and emailed Jarrod Bleijie's office once a week to make sure I had all correspondence in writing copying Child Safety Service in every time. Again, I felt like this wasn't working. Money was minimum. The therapy had to stop and my heart was breaking. Eventually I thought I'd have to start stirring someone's pot . . . until Jarrod Bleijie himself emailed directly to the Head of Department of Child Safety Services. Within 24 hours, I had a phone call from Child Safety Services advising that they are reopening my case and they will be out at my property the next day. This was the first time I ever had a positive conversation with Child Safety Services after 2 years of constant battling with them. Not only did this get the children all the support they needed, but it certainly made me feel secure that I was not classified as just minding the children, I was recognised as their kinship carer! In regard to the loss of money, I forwarded all out of pocket costs and loss of payments to Child Safety Services, which eventually they paid back to me.

Moving forward, the eldest, the one with Autism Spectrum Disorder, is now 19 and in her second year at the University of the Sunshine Coast. She completed year 12 with an OP10 [tertiary entrance rank]; when she came into my care, she was a D-grade student all round. My elder nephew is 16 and a Year 12 student with perfect grades and a bright future ahead of him. My youngest nephew is now 10. He is diagnosed with ADHD and is on medication. He is in his last year of primary school. He still attends speech therapy and tutoring, but I'm happy to say he got his first A on his last report card.

This is my experience over the past 5 years, half as an informal kinship carer and half as a formal kinship carer. The mistreatment and lack of support and services for informal kinship carers are far

beyond words. Kinship carers should not have to go through what I had to in order to get the support that we all deserve. But unfortunately, this is occurring all around Australia to numerous kinship carers of all ages.

It is time to speak up. We are all equal. We are not alone.

Jill's experience

Jill Green is an Aboriginal grandmother in New South Wales caring for six young grandchildren on an informal basis. She works part-time in a legal firm with Aboriginal clients, having reduced her working hours from full-time in order to care for the children. She receives no financial assistance from Child Protection.

First, I would like to acknowledge the Aboriginal people and the traditional custodians of this land on which we are meeting today and pay my respects to elders, past present and emerging. Thank you for allowing me to speak.

I am really nervous.

I would just like to start with an innocent comment from my granddaughter saying, 'Nan, what's going to happen to us when you die?' at the dinner table while having dinner.

So, for 3 years, I consistently put in reports and notifications of seeing my grandkids going through neglect, emotional and physical abuse. So, I decided that enough was enough. I work in a legal firm, and the solicitors there said to me, 'You need to lodge action in the Family Law Court' because at my age with the number of illnesses I have, risk was that if DOCS [NSW Department responsible for Child Protection] intervened I wouldn't have a say, I wouldn't get the kids, I wouldn't have a look in the door. So I lodged action, also thinking, 'This is going to be a kick in the guts for my son and his partner' and that they would wake up. But they didn't. I ended up with parental responsibility, I ended up with them on my doorstep. They were on my doorstep within 24 hours with nothing. I won't say nothing because they had a bag with nothing in it. There was a recovery order put in place.

I had a daughter who worked in an Out of Home Care service, she had a few contacts; somehow we got on to Samaritans. I was working full-time, I decided I needed to get some help from somewhere. Them Samaritans, they came to the party, they were wonderful. They gave us beds, clothes, sheets – everything we needed.

I was in a two-bedroom unit with eight kids. That went on for a year and half, then the two eldest got placed back with Mum and Dad. The six youngest stayed with me – the youngest one at the time was 6 weeks old when he first came to me. The oldest is 12 now so she would have been 9 at the time. I was in a job I was passionate about, a low-income job, but I was there because I wanted to give back to my people, so it was just what I wanted to do as money wasn't an issue at that time. So I stayed in the job working full time.

The youngest is about to turn 3 now. We had specialist appointments but no DOCS help, so we went to the Department. My solicitor after a lot of urging to them to come to the party, wrote a formal letter. They were then invited to the proceedings by the judge; he wrote them a letter. The Department said 'No they are safe, we don't need to be involved'.

In failure of that, I lodged the action in the Family Law Court because I actually didn't want DOCS to be involved. It just does not work for our people. When they come into our lives, they destroy our lives, and they don't think about what's important to us Aboriginal people. So the Family Law Court was the best option for me as I wanted the kids to be together, I wanted them to be safe, I wanted them to be with family and wanted them to grow with

family. And so I ended up with six kids. And, I would do it again tomorrow if I had to.

So, we did approach DOCS again to see whether they could help financially to help me find a place to live. I was driving a Commodore, I had eight kids to put in my Commodore, and I broke the law for probably 3 months after the eldest self-placed. Later, we were driving around seven of us in a Commodore to get them to school. We at first were driving 30 km to keep them in the same school because I was so adamant that the parents would get their acts together; I drove 30 km one way for a year every day, to keep them to the same school, to keep them in that environment.

After about 3 months, my ex brought me a two-and-a-half thousand dollar Kia Carnival as he was leaving – saying goodbye – never coming back. Which was fine with me. So we drove around in this old bus.

I'm from New South Wales, Newcastle Warago country . . . oh so sorry . . . I had this all written out . . . now can't read it . . .

So after having the kids, how much their needs were obvious. The three youngest all have different issues, yet nothing compared to some of the grandparents I have spoken with this morning. Seriously, speech therapy etc., NDIS (National Disability Insurance Scheme), I didn't know nothing about these things, I wasn't a person who researches anything. I felt like, 'I don't have to, I'm at retirement age' – but I have become the best researcher. If I hear something now I'll go research and find it, as I know the only way I'm going to get any help whatsoever is to find it for myself.

In one of those conversations, the Mirabel Foundation came up, and they had been a godsend to me and the kids; without them, I don't really know how we would have survived. I still work 4 days a week, but it's a low-income job so we struggle. I get family tax benefit. People say 'You get a big family tax benefit' and I say 'Yeah, I pay \$900 dollars a fortnight rent'. We live in social housing. They say, 'You get big DOCS money. Buy a new car', and I say, 'What do you think I would be driving in a crap car like this if I got the DOCS money'. In saying all that, I don't want DOCS in my life; I don't want them to come and monitor what's happening on a daily basis for us. I think I have enough experience and know I'm doing the right things, the kids are happy. We need the financial assistance, and I don't know how that works.

So, we went to the Ombudsman and they did a brief investigation into my case, and DOCS rang me up and said 'Jill, just wanted to let you know we spoke with the Ombudsman. Anything you need we will help out, we are there for you'. So I sat down and wrote a letter to them and told them what I needed. I did my research and worked out how much it costs to provide for one child on a yearly basis with food, clothes, etc. And I asked them could they give me an annual payment of so much money, buy me a van first, and give me a payment, and annual payment to provide their clothes, school and that sort of stuff. Didn't hear back from them. So I sent another email following up on our conversation that we had on the phone and asked 'Are you able to come to the party?' His response was 'It wasn't within our financial budget'. So, it was just a waste of time. I don't really think the investigation with the Ombudsman was a waste of time, I think he covered his butt and did what he needed to do to say they can tick the box and that they followed it up.

You know, we manage, we struggle, the kids say, 'How do you keep going, how do you get up every morning?' and I say, 'When you have a three year old standing at the side of your bed going 'Nan', you get up, you throw your legs over the bed. I get up, walk to the kitchen and my day begins.

I'm single, not saying I want anyone, I'm happy, I couldn't be happier, it's just so full on, so it's just so rewarding that there is

faith. I have phoned many cousins which was raised in the Out of Home Care and the trauma they are suffering is just not for my grandkids. It's not going to happen. As long as I have breath in my body what happens is they will be with me.

It's caused disharmony between me and my [adult] children. They are slowly coming around and accepting the fact that I am no longer the grandmother I use to be; I don't have that time for my other seven grandchildren. But I tell you whatever chance I get, I try and make up for it, and I say 'My kids – my grandkids that I am raising – are my kids'. I don't come and talk to them [the grandkids] about it that way. They are my grandkids, and they are my kids. They call me Nan – you know I would never take that away from their parents – but they are my kids. I'm raising them, I'm responsible for them, and I just need to have financial assistance from the government. And being recognised as an official carer would be wonderful.

The comment my innocent granddaughter made, 'What will happen to us when you die?', it bought tears to my eyes. But I said 'You will be 22, 21, and 20, you will have the house, and can look after each other'. The excitement over having the house was just way more important than me dying. Thankyou.

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