



COMMISSIONER FOR  
ABORIGINAL CHILDREN  
& YOUNG PEOPLE

## **TRANSCRIPT OF PROCEEDINGS**

**April Lawrie, Commissioner for Aboriginal Children and Young People**

**Denise Rieniets, Counsel Assisting**

**Hearing for the Inquiry into the application of the Aboriginal and Torres Strait Islander Child Placement Principle in the removal and placement of Aboriginal children in South Australia**

**Tuesday, 26 October 2023 at 10:00am**

**Expert Witness:**

- **Associate Professor Yvonne Clark, UniSA Justice and Society, University of South Australia**

**Denise Rieniets, Counsel Assisting:**

Dr Clark, the Commissioner's going to do an Acknowledgement of Country before we start, and then we'll ask you to affirm your evidence, please.

**Commissioner April Lawrie (Chair):**

Thank you. I'd like to acknowledge that we are holding this on Kurna Country and pay my respect to on Kurna Elders, past, present and emerging, acknowledging as Kurna Country. This is country never ceded, always was, always will be Aboriginal land, and I'd like to pay my respect to you, Dr Clark as well as being an Aboriginal woman who brings a lot of expertise to the table, and everything that we do is for our Aboriginal children and young people. Thank you.

**Associate Professor Yvonne Clark:**

Thanks, April. And can I just say, can you just call me Yvonne?

**Counsel Assisting:**

Sure.

**Associate Professor Yvonne Clark:**

Thank you for acknowledging that I've got my doctorate. Yes, thank you. Yeah, I'm not sure, I had

this talk with Denise yesterday and she just sort of helped, told me how that this pro-, this will, can go in a number of ways and I just chose to sort of just yarn and do it as informally as possible. I haven't done, I don't have any presentations.

**Counsel Assisting:**

That's right.

**Associate Professor Yvonne Clark:**

And I'm actually working from home, and I have a...

**Counsel Assisting:**

Yvonne, I'm sorry. Can I just interrupt you?

**Associate Professor Yvonne Clark:**

Oh, sure, go on. Yeah.

**Counsel Assisting:**

Sorry. We'll just get you to affirm your evidence before we start.

**Associate Professor Yvonne Clark:**

Oh, OK. Sure.

**Counsel Assisting:**

So my associate will guide you with that.

**Associate Professor Yvonne Clark:**

OK. Sure.

**Carla Ringvall, Assistant to Counsel Assisting:**

Just formalities, if you wouldn't mind repeating after me, please.

**Associate Professor Yvonne Clark:**

Yeah. Yep. Sure.

**Assistant to Counsel Assisting:**

Yep, I solemnly affirm that the evidence I will give.

**Associate Professor Yvonne Clark:**

I solemnly affirm that the evidence I will give.

**Assistant to Counsel Assisting:**

Will be the truth, the whole truth, and nothing but the truth.

**Associate Professor Yvonne Clark:**

Will be the truth, the whole truth, and nothing but the truth.

**Assistant to Counsel Assisting:**

Thank you. And for the recording, can you please state your full name, your business address and your occupation?

**Associate Professor Yvonne Clark:**

Yvonne Clark, I currently, I'm in a joint appointment with the University of South Australia based at Magill Campus, and also, with SAHMRI, South Australian Health and Medical Research Institute, and we're located at the Women's and Children's Hospital at the moment.

**Assistant to Counsel Assisting:**

Thank you.

**Counsel Assisting:**

And your qualifications?

**Associate Professor Yvonne Clark:**

My qualifications, I got my Master of Clinical Psychology in 1996/97. So I've been a psychologist for about 26 years, 26, 27 years, if I do my maths right. And got my PhD in Psychology in 2017.

**Counsel Assisting:**

Thank you. OK. So Yvonne, we're more than happy for you to just yarn. We understand that, as a psychologist, your area of expertise is attachment theory or attachment theories in Aboriginal communities, and that's what we would be very interested to hear about from you in terms of the application of that in the care and protection spectrum, in terms of Aboriginal parents having children removed and, and down the other end of the spectrum of, of potentially having their children returned into their care and attachment theory being used against them in those, in those circumstances.

**Associate Professor Yvonne Clark:**

Hmm. OK. Yep. Yep, sure. You know, there's, there's lots, there's lots to that. So I'll, as I said, just, just yarning and ask me questions as well 'cause sometimes, I don't always think to bring out the information that you might, that you might want. Just going back to some of my experiences, I have been in research, I guess for the last, even though I'm still a psychologist and still do some bits, I'm more in research at the moment. My experience, clinically, is that I did work with child protection for about nine years and left that about 2003, 2004. So I, you know, I did have a lot of experience there, and I've had out some other clinical roles. So my whole area of psychology hasn't always been about attachment and bondings, but I do work a lot with families and kids wherever possible. My PhD was more in lateral violence, which is sort of the infighting in the Aboriginal community, so that's more adult, that's more adult focused. And I've got some grants to sort of take that sort of to understand that more with our kids and young people at the moment. So a variety of different topics as a psychologist. So I've recently gotten back into attachment and bonding stuff mainly because I'm supervising a student, an Aboriginal student, who's just submitted her thesis yesterday, and that was on attachment and bonding with, with Aboriginal families, and we're going to write an article on that. So that was, you know, that's really, that was really encouraging and for us to work together. So it is nice to touch base with this topic. You know, on and off throughout my career and also to have other young Aboriginal psychologists come up and sort of take on this area a lot more. I know a lot of, there's a couple of Aboriginal psychologists in Adelaide, some of them do work in this space. But I don't connect as, as, because we're all so busy, we don't always connect and, and share information as much. So anyway, so watch this space in terms of an article from the student, Nikia, who, who will work on to put into a journal by December. My other experiences, I guess, with, apart from, you know, working at it with child protection, has been two, two court appearances around attachment and bonding came into it, and that's mainly been, for the attachment and bonding, when the child is with a non-Aboriginal carer and, you know, the, the attachment that the child forms with the non-Aboriginal carer and often, you know, that, well, not often, but many advocate that the child should stay with the carer because of the strong attachment bonds and, and I was asked to do an assessment in both those occasions and they were both, it was 22 years apart and it was basically exactly the same issue that, you know, that we presented on. And in both those cases, I guess, my assessment and evidence weighed up strongly and, you know, the side that I was on, I

think, DCP at the time had changed their plans and then had wanted to put the, the child in both situations back into, with family. So both, the side I was on, you know, was successful in, in having the child removed from the non-Aboriginal carer. So those are my experiences, and I can expand on any of those experiences if, if you want so it's, yeah. As I said, ask me questions. Otherwise, I've written notes and, you know, there's all these theories and different things and training and, you know, there's all sorts of stuff, but I don't know what to really bring out unless you've sort of asked me.

**Commissioner April Lawrie (Chair):**

Yep.

**Counsel Assisting:**

We'd be interested to hear the, without any identification, but the details of how that your, your evidence in your assessment worked to ensure that children were removed and returned into return, returned from carers that they may have been determined under a non-Aboriginal definition of bonding and attachment to then being returned in, into the care of their Aboriginal families.

**Associate Professor Yvonne Clark:**

OK. Yes. So I guess, the, the most recent one, yes, I'm trying to think, there's such a big, big story to it, anyway.

**Counsel Assisting:**

Can I ask, Yvonne, how old the child was and how long they had been in the care of the non-Aboriginal family?

**Associate Professor Yvonne Clark:**

Yes. OK, sure, sure. The last, yeah, the last one, the child was, oh I thought I read, reread the report just so it's fresh in my head. The child was about four, and I may have some of my, my details wrong sorry, at the time, this, cause the child was preschool, and had been with the carer for over 12 months, the non-Aboriginal carer. So, and, and had a, had a nice attachment with the carer and, you know, had a, had a, the carer was lovely and had a partner and, you know, like it, I could see the child flourishing that in that situation, and on the other side was an Aboriginal uncle and father's brother, who also had the care of two of the young boys, I've identified gender just to make it easier for me to explain it, had two siblings who were just, you know, only just older than the young person. So for that, for that assessment, it was also about the attachment and the growing relationship with the siblings and how the child, if the child grew up outside of that sibling relationship, and there are also other, other siblings with another relatives. So there were, you know, three or four siblings and so it was about that. And it wasn't often psychologists, and a lot of the reports that I read, sort of will look, look at the standard Westernised attachment model where, you know, you take the child away from the carer if the child becomes upset type of response, then it might be seen as more insecure attachment or something along those lines, a particular assessment. But I kind of, and then when the child would go with the uncle, you know, the, the relation you know, and it, the relationship with the carer then sort of didn't seem as secure. So you don't kind, for me, I don't always look at the situation at hand, it's about what can develop. I mean, obviously, a child that's living with a carer is gonna be a, have a particular secure attachment with that person, and less so with an uncle who the child sees occasionally and still growing a relationship. So you kind of have to assess it on that and, and, you know, assess how the uncle and aunt, how they see the child, also with the siblings, you could see them just flourishing when they go off and play together, and all that sort of stuff. So it was a much more broader assessment than the

ones that I often see in, in child protection, when I was working with child protection and also, you know, do get to see reports occasionally. So it was mainly that, and also, you know, with the Western model, if the, if the child, you know, they try to assess the future mental health of a child if their attachment isn't secure. Which is, and they often don't take into account sort of the identity and cultural needs of the child and what that means for a child growing up in their own development, and all the sort of holistic nature of connections to their wellbeing. And, you know, we, we, the psychologists and, and others have sort of put together wellbeing models where the connectivity helps connection to various things like culture, spirituality, your country, all those things help us with your identity and who you are. And the child needs a lot of that stuff. And in this situation, even though the carer was, you know, saying all the right things, and of course, that they do want the child to connect to culture and all those things, and we'll say that and, and they do make an effort to do that. But it's, you know, it really isn't enough, and they don't have that sort of reflectivity of what, of what a child really needs. A child needs more than just going to NAIDOC marches and, you know, having some nice pictures on the wall. Child needs the stories behind all of those things and sort of access, so they feel pride in their, their Aboriginality and, and lots of, and and lots of things and, and going on country more. And although, you know, I know DCP did have a cultural plan for them but, I guess, and, and I worked with DCP, you don't always enact those when you're super busy, they kind of get left on the back burner, so a child in non-Aboriginal care doesn't always get the cultural stuff even, even with well-meaning people. So they can get it with particular relatives, if the relatives, you know, do do that or, or just the extended family, everybody's got something to offer culturally in that sense. So, so it was the cultural and identity stuff that sort of is the, is the, is the thing that I focused on more so than the actual, you know, who had the stronger attachment at the time, which is what a Western model might look at. So, so, that was the assessment, yeah, that, that I did with that. And, and yeah, there was also the cousins that were living in the house and, and you know, they were there were detriments that, that, I don't think it's detriments, but a child protection worker may see because that there were lots of people in the house and, you know, sleeping arrangements and all that, so, with some of the other kids and cousins and stuff. But you know that, you know, that, that's seen through all different ways. So it's, I guess, it's the interpretive lens around a lot of this stuff and really not understanding and, and often when I'm in court in both situations, some, sometimes, they are psychologists that I know and have worked in. So, although, I don't feel awkward about giving, you know, my evidence, but you know, like I, I am often opposing my colleagues with lots of these things which is, you know, good and bad. I mean, it's good because I'm really, want to make sure that Aboriginal kids have the, you know, living and nurturing in the best environment they can.

**Commissioner Lawrie:**

So, Yvonne, with regard to the work that you've done with those two separate cases, where has your, I guess, your work on those two matters, taking you in regard to the child's best interest?

**Associate Professor Yvonne Clark:**

So, I'm not exactly sure what you mean, but are you sort of, for me the best interest is sort of their long-term stability and their connections to culture and, and their identity and who they are. I still see identity as one of, you know, a major psychological things that we really need to develop because I, you know, I see lots of kids regardless of child protection who kind of are a bit lost with that and, and need that guidance in some way, even some Aboriginal mob within Aboriginal families. So not everyone is able to offer that. Yeah. Not, not, not, everyone offers it differently, what I mean to say, in Aboriginal families around identity. Some from Stolen Generation may not be able to offer it, something some have grown up away from country, but at the same time, a lot of people that I

know are still kind of learning and, and, and that's OK as well. Everyone's on a different journey around that stuff. So if, yeah, I don't know if I'm just raving on or, yeah.

**Commissioner Lawrie:**

No, no, no. I've got another question in relation to that.

**Associate Professor Yvonne Clark:**

Yeah, yeah, yeah. Sure, sure.

**Commissioner Lawrie:**

So how does the concept of attachment theory relate to the identity of the Aboriginal child?

**Associate Professor Yvonne Clark:**

The concept of attachment theory, umm in, in a Western, if you follow the Western model it, it does, I don't see it as really picking up on a lot of identity stuff. It, it might to a certain extent, it sort of, sort of talks about attachment happening early on a critical window and, you know, attaching mainly to the mother or those in the nucleus family. And then a child develops, you know, finds out or develops their internal model of how they build relationships through the nucleus family, so, and that works in, you know, if sort of, it's a Eurocentric Western model and I'm not saying that's wrong or anything, but it's just not how I see it in general, or I know a lot of other Aboriginal people see it. So we do see those connections a lot broader, kin with family, with, with obligations. And, and that doesn't mean that a child can just go with anybody. I guess we, you know, there are, there are certain, you know, especially, you know, women in the family may sort of know safety of who the kids can go to, and who they can't go to, and who, you know, is they're obligated to, to go depending on if you're more traditional or urban. But there is, whether or not you're traditional or urban, there's still that, or rural, there's still that sort of sense of family growing up the children. It may be by convenience that the mother, they are living with the mother and family and, but they could easily be living with aunty or uncle if, you know, if there are some issues with the, the mother at the time. And this is without child protection, that is, you know, it can be decided around obligations, and you know, who in the family might be able to take the kid if the mothers are struggling. So there's all these rules and stuff that we do have and, and often we can work them out ourselves. But then obviously, sometimes child protection do step in, rightly or wrongly, and that whole system that we might have had in place or thought could work may not be what's happening with child protection depends on the placement. I mean, it depends if they go to the family care meeting or not, then it might come back into, might turn around again and if the families listened to it, might go that way again. But, but yeah. So, I don't know if I answered your question April, this, cause I just then go off on a tangent and start talking about all sorts of stuff that I get triggered off on so.

**Commissioner Lawrie:**

No, no, that's good.

**Counsel Assisting:**

Yvonne, can I just take you back? You mentioned one of the detriments that the department see that you said, you don't see as a detriment, and that's the number of children living in a household or the number of people living in a household. Can you expand a bit on that for us, please?

**Associate Professor Yvonne Clark:**

OK. Yeah. So I guess, that was in the contents of that particular assessment, you know, there were lots of, in that one, that second court one. There were cousins and other kids living there, and sometimes his auntie's mother would come and stay as well, you know, so, sometimes the house

might have about ten people or, or, I don't know the numbers, but, but quite a few at the time. And, so, and often in an assessment, that'll be seen as, you know, a negative, in a negative way. But I guess, it, for me, it was an opportunity to sort of advocate for their, their family at the time to get a sort of get a sleep out built at the back, which they did at the end. I think child protection advocated to the Housing Trust to get a sleep out and stuff like that, 'cause it is important that, you know, that the grandmother, it's not wasn't his boy's grandmother because it was the, his uncle's wife's mother, but she, you know, would come and care for, not the kids under child protection, but the other grandkids. So that the, 'cause you know, you have to have an, be approved to look after kids that are in, in care. So, you know, that they would arrange at, the grandmother would look after, you know, the boy's cousins who aren't under child protection, while the uncle and aunt who, who were able to look after the three in child protection because the two siblings were in child protection as well. So you know, there's all sorts of arrangements, and you have to have family to help with that. And sometimes, the family aren't necessarily from Adelaide, so they, you have to have room to have family from country that come and can help with stuff. So, in that context, yes, it was seen as a positive from my, from my perspective which, you know, so it's all about the context and the story and the sort of the questions you ask in, in assessments and what you find out. I find a lot of the non-Aboriginal assessments, and I'm not criticising any particular, I mean, there are good psychologists out there, but I don't know if they really understand, you know, the cultural context and the family relationships and ask those questions, the right questions around, you know, who, who can provide support and who can't, and, you know, even who might be safe, you know. You know. You know, so, in other assessments, what I've done, I might ask, you know, so do you think that uncle is safe and, you know and, not in this assessment, in another ones and you know, that they'll often tell me, yeah, I watch the kids, I, you know, there's certain family that I won't let in the house because I'm, you know, I'm just a little bit worried. So, people will tell you that and, and they do often know.

**Commissioner Lawrie:**

Hmm.

**Associate Professor Yvonne Clark:**

Who they can bring in the house and who they can't. I guess if we're, you know, and there might be situations where somebody doesn't and that's where, I might be, you know, with my previous assessments that I've done where I might say, you know, like the child is safe with these people, but not that person. So you know, that's what you need to watch and, and you know, make sure that they're not bringing that particular uncle or, or, or someone into the house because that's the safety issue, not, not the aunty or not this person. But they need to be able to tell this person not to come in the house, and you need to support them to do that or get them to do a restraining or whatever it is, you know. So it's, it's...

**Commissioner Lawrie:**

Mhmm. So, do you...

**Associate Professor Yvonne Clark:**

It's how you look at it and interpret it. So yeah.

**Commissioner Lawrie:**

Do you think there's been enough done to actually address the cultural biases in those assessment tools?

**Associate Professor Yvonne Clark:**

No, not really. And often you do have changes of, of psychologists, you know, like at the time, we were doing lots of training and you know, we sort of adapt a, helped adapt a lot of the, the tools when I was in the Department. They've had psycholo... some Aboriginal psychologists since me, so I'd, I, and I don't know, I've kind of moved on to other jobs, so I don't always keep my hand in what's exactly happening. So I'm not sure in the Department, because I'm at uni and in the discipline of psychology, and I was at Adelaide Uni there as well, I mean, and we do try and put curriculum in stuff to train psychologists up. But often that's good and bad, you know, we get to do a lot of the general cultural stuff, but we don't always get into the attachment and bonding, and it is still a barrier. There's a lot more, you know, there's been curriculum in psychology is through a sort of a governing body. I know the acronym, APAC, Australian Psychological Accreditation Council, and they've had, there's been a lot of work done to make sure that there's lots of cultural stuff for courses in psychology and for clinicians. And at UniSA, we were going ready to develop a course for masters, and it would have included attachment and bonding. We're still going ahead with that. And we did some workshops with students really appreciated last, earlier this year and last year. But now that the unis are amalgamating, UniSA and Adelaide Uni, and Adelaide Uni, who I left for particular reasons, they're wanting to sort of take it to trim it all back again 'cause they all, they're all fighting for particular topics that want to go into a masters course or even the undergraduate course, and they don't make enough room for Aboriginal stuff still. So this is still negotiation, but it, the last draft I got was just sort of minimal Aboriginal stuff. So it's always a fight to get these things in right from the, from the training. And then I guess, psychologists then, it's up to them what, and depends where they go after they get into the field, whether they take on more cultural stuff. Some think that they don't need to if they're in a sort of a place where they might see one or two Aboriginal people. But, but, for those in child protection because there's such a, you know, a large amount of Aboriginal people going in at, they do need a lot of training and I'm out of date with what their training is around cultural stuff. From my understanding, they still don't get a lot... I was talking to some people and some of the students did their placements there and were really uncomfortable and unsettled. And you know, I do know a lot of the Principal Aboriginal Consultants from DCP, and they do say there's still not enough and they challenge the, the psychologists in around attachment and bonding stuff continuously. So, so, you know, just from hearing all this, it's my sort of thoughts that there's not enough in child protection and...

**Commissioner Lawrie:**

Are you aware though if, if DCP actually engage persons like yourself, who are obviously a clinical psychologist, but also have your cultural context to help write or develop better assessment tools and frameworks?

**Associate Professor Yvonne Clark:**

Yeah, I guess they are aware, and I know like, not the PCs, they probably changed their name now, Aboriginal Cultural Consultant.

**Commissioner Lawrie:**

P-A-Cs. Yep.

**Associate Professor Yvonne Clark:**

P-A-Cs, they've changed. So I forget. Yeah, so... They're aware of me. And, and it was, you know, Tracy that asked me originally to do that last assessment. So they are, they are aware. And, and I have been asked on and off but really, I kind of, I, I have to decline, I'm just too busy so I, I can't do it and that's in partly why I'm hoping that this student that I'm supervising, or we're finished now, you



know, will, will get more into this, and she did her placement with DCP as well. So you know, like it's, I, I, I can't do it.

**Commissioner Lawrie:**

Yeah, well.

**Associate Professor Yvonne Clark:**

I can help other people do it, that's all I can do at this stage, so, was that your question? Are they aware? Yeah. So, yeah, I've always had some my hand, no, I haven't, say that again, I haven't had a hand in DCP, but they know I'm there, you know, like I used to talk a lot with them, some of the old stuff that was still around. They knew to contact me but, but I have, I have declined on a few, I've been asked to do more than I've been able to than, than I accepted. Yeah.

**Commissioner Lawrie:**

As in assisting with policy development or assessment frameworks?

**Associate Professor Yvonne Clark:**

No, not. It's, it's more around assessment, doing assessments and well the clinical work.

**Commissioner Lawrie:**

Oh, yeah.

**Associate Professor Yvonne Clark:**

Yeah, I guess because they've got some staff. They've got a number of staff there that can do the policy stuff, so, but no, not, not, and not the psych stuff, no. So I probably could be consulted if it's more specific around psych stuff and the other, you know, Principals and Aboriginal people could probably do the more general ones, yeah. But I haven't been asked, not for policy development around psychological and attachment and bonding stuff, no.

**Counsel Assisting:**

Yvonne, can I just ask you, you were, you mentioned before that there was a need for reflectivity of what a child needs on a long-term basis that's not included in a Western model of attachment. Could you speak to that a little more please?

**Associate Professor Yvonne Clark:**

Yeah. I think when I've said that and it's now that you're asking it, I can't remember the context I put it in. But I, that, that would have been, I think that was about, you know, the identity stuff and, and the way that you connect holistically to, to not just people, but you know the land and culture and, and all those things that you need to connect to, which should inform your identity and as the child develops, they go through all sorts of identity stuff. And you need that to sort of accumulated, sort of attachments to, to lots of people and to lots of things. And, and the reflexivity, I guess, yeah. You know, I don't know, every psychologist is different, whether they're reflecting or whether they're looking at the broader picture, or the more holistic picture or not, or whether they're just following their, the models that they know and are comfortable with and not willing to step outside, that not willing to consult further with, with you know, other Aboriginal clinicians, or even have those broader conversations with family to really understand how the, you know, the needs of the child and how the child needs to connect to different things, and even finding out more about the dynamics that happen in a family. They just sort of narrowly, I feel, narrowly do the assessment based on the model, which is sort of observed, often observing how the child and the parents interact at a particular moment in time. And that, you know, there's the separation anxiety stuff

that's often written about and, and without the, understanding the broader stuff and even sort of reflecting on whether or not they need to look at things a lot more broader in the cultural stuff.

**Commissioner Lawrie:**

So how, how should the system, whether it be the system or a practitioner, weigh up what's in the best interest for the psychological wellbeing for the Aboriginal child?

**Associate Professor Yvonne Clark:**

I guess, I'm talking in terms of practitioner skills. But the system should, yeah, do offer more training. You know, have a, have a guidance with an Aboriginal clinician, but then I know that there, there's shortages of that, Aboriginal psychologists. And I guess, nobody really still wants to work for child protection. I know I, I did under protest at the start. But I actually, you know, I actually grew into it and it was a, you know, a really worthwhile job and I sort of found my place in that, but, but yeah, it is hard to find Aboriginal psychologists that'll, that will help guide that. So in terms of the system stuff, I, I guess, I don't know if policies and practices, they do need to have a much more thorough assessment process.

**Commissioner Lawrie:**

Do you think they want to be Aboriginal specific assessment tools?

**Associate Professor Yvonne Clark:**

There aren't a lot of Aboriginal specific assessment tools. They're growing and, you know, there's, I know, there's a lot being developed at the moment around trauma and, and because I'm more in a pregnancy space, that's kind of where it's happening in the early years type of thing. Trauma, wellbeing assessments are sort of being developed and they take often a number of years to develop. There are a couple of kids once at the moment and I, 'cause I haven't sort of worked a lot with assessments recently, and even when I do assessments, I, for me, it's been observation and sort of more ex, you know, sort of game playing and, and using animals and different things and stuff rather than the assessments. But that's not to say there aren't some, you know, good assessments. You know, like we always say, yes, Aboriginal specific tools are great, sometimes they're, you still have to be a bit cautious if they've been developed in another state, but still, sometimes they're better than the non-Aboriginal ones. But they have to also reflect what you're sort of assessing as well. I don't think there's an assessment around attachment and bonding as such. That's still sort of based on sort of observations and, you know, there was an assessment tool called Family Relations test that we used to doing thing and so, at the time when I was there sort of got lots of Aboriginal pictures and sort of adapted a little bit. I don't, I don't know if they're still using the pictures or not, but that, you know, that was about 20 years ago that I did that. I don't know if they've upgraded pictures or anything like that at the time. I got, you know, June McInerney to paint lots of lovely pictures, Aboriginal families and stuff like that, so. So that worked and we're all using it at the time with Aboriginal families and different colours. So it's not all, you know, black figures, they're figures with all different shades of colours. So that kids could relate to it so, and that worked. But I, I've got no idea whether or not they still use that. It's probably considered too old or new people come in with new ideas. So I think they still use family relations tests but I'm not sure, and it would have been updated. New versions would have come out so. So I'm not sure whether at, so I don't think, yeah, I don't think there are assessments, but I, I could be wrong. I'm a little bit out of that space, and when I did my assessment as well, I didn't rely on those. I just sort of did the yarning and more pictures and using animals and different external methods type of thing that they relate to family and culture and stuff.

**Counsel Assisting:**

Yvonne, can I just ask? You, you mentioned a minute ago that that if assess, Aboriginal assessment tools have been developed interstate, they need, we need to be careful. Can you just elaborate on that please?

**Associate Professor Yvonne Clark:**

Yes, it's still, still, when I say careful, I'm not saying not to use them, you know, if 'cause we're all diverse Aboriginal mob and it might be sort of developed more along the lines of that cultural group and what their practice is. So yeah, definitely look at it, look at it and, and try it. If it fits, I, I tried, I have tried lots of them and you know, they're fine with me to use because I guess, I know how to sort of adapt them and have those conversations more locally when I'm using tools. Sometimes, some of the tools, they have sort of standard verbatim that you have to use so, and that can be a bit of a worry because then you can't sort of adapt it to the conversation you might want with that family. But having, going back to the Aboriginal ones is what you asked. Yeah. It's just because of the diversity. But you can still use them. Just be mindful that it might, it might be developed from another group that may see things slightly differently. So I don't know if I've explained that well enough.

**Counsel Assisting:**

So, well, can I just ask? So what you're saying is that there is no standard Aboriginal attachment theory? That, that each different area or each different mould might have a different version of it, is that the case?

**Associate Professor Yvonne Clark:**

So, so you were talking about tools, which is different from them, from the tools.

**Counsel Assisting:**

Oh, I'm sorry. Yes.

**Associate Professor Yvonne Clark:**

Yeah. So there is this, kind of this, in terms of theory, there is the, the standard attachment theory that's sort of taught through universities and taught to clinicians. And that's the Western model...

**Counsel Assisting:**

The Western models.

**Associate Professor Yvonne Clark:**

Based on Bowlby and Ainsworth. And a lot of people do use that theory, that's what they learn, that's what they do. Some clinicians that work with Aboriginal people do, are a bit more flexible with how they use that. If, if they understand and put the cultural context to it and some, some don't. That's from my experience. Some will just use it, you know, and it's often, as I said, the assessment, and I could be a little bit out of date, there might be some more assessment tools for attachment and bonding, but not that I know of. So often it is still by observing the relationship with the parent and the child. Sometimes they might use some assessment tools if the child is old enough, but if it's a baby, it's more observation stuff, or a young child under two, it's more observation and they will use the, you know, the separation when the, the child is taken away, how the child reacts to being separated from the parent and then how the child reacts when the child is taken back to the parent, and to make their assessment of the type of attachment that that child might have with the parent at the time. And it, a lot of that stuff I feel gets misinterpreted.

**Commissioner Lawrie:**

Hmm.

**Associate Professor Yvonne Clark:**

And it's very narrow, because it doesn't put the, the context of stuff. And sometimes, it's also narrow culturally, but it's also kind of narrow if you're just looking observation. So I mean, there's all sorts of conditions that a parent might have, or a child might have, or sometimes it's trauma stuff or there's sometimes says some, even sort of in the Western things says things like Asperger's and that way, you know, your normal pattern of engagement might be slightly different unless the psychologist understands or knows all that stuff, they might just be the pure objectivity of watching that observation. So, without all the context in the story behind that, you kind of can misinterpret what's happening in the queues. That's how I feel. I mean, other psychologists could accuse me of misinterpreting as well but you know, I'm, I'm not sure. I, I tend to, I tend to think that I do pick up a lot of the cultural stuff and explore more of why, you know, why things might be happening.

**Commissioner Lawrie:**

Hmm.

**Associate Professor Yvonne Clark:**

If I, if I see, you know, a child is upset or something like that at the time. And I don't take that, you know, quick observation of that incident as, as what's happening, or that, or I also think sometimes that yes, this might be happening now, it's 'cause the kids has only seen the parent, you know, a few times in the last couple of months. So how would you expect a child to react, you know? So I try to think about the things that could really happen to, you know, improve that relationship or make it stronger or all those things. And I'm sure other psychologists do. I'm not saying that they don't. But I do see misinterpretations as well. And I'm talking generally, so it's hard to probably pin something to some of the stuff I'm saying to specific examples.

**Counsel Assisting:**

Yvonne, can I ask? You've mentioned a couple of times, trauma. Can you speak to the impact that trauma might have in Aboriginal communities on connection and bonding with children, particularly little ones?

**Associate Professor Yvonne Clark:**

OK. Now, that's quite a big topic and everybody, you know, trauma story's gonna be different. You know, in general, what we say that we're all affected by trauma. You know, historical trauma, intergenerational trauma in some way. We've all got people that have been through Stolen Generation or through the mission system, and we've all got stories of things that, you know, are quite ugly or that happened in the past, and, and that. So, look, we carry a lot of that stuff with us, and we are quite vulnerable to trauma and, and triggers in a general sense. I mean, everybody's got different coping skills as well and you know, family relationships that can make us stronger or more vulnerable. So I'm just talking generally on that stuff. So some of the, I guess, parents, I'm just trying to think how I'll go with this then, where kids have been taken away and, and maybe some of those have been trauma-related maybe. You know, the, their bonding has been a bit disrupted, maybe they didn't have the, you know, the parenting that, you know, that really nurturing parenting, I mean, attachments and bonding, no matter who it's with, is still, you still need a response, responsive parent or responsive caregiver or responsive person to the child for bonding and attachment to happen. So you know that responsiveness mightn't have been there through patterns that people have learnt and might need extra healing. And you know, again, that's where you, you

know, I would look at the things that that parent might, might need, you know that, that healing, and you know, there is connection there, but you know, you can see that they might switch off occasionally and, or, or avoid because they're frightened of, you know, the child or hurting the child or even not being able to form a good relationship, so you know. There's a lot of, often a lot of things behind, behind that in their own trauma story and why or why not then they, you know, mightn't be attaching well to the child. And the way they, they respond to the child might be how they, they grew up. So, it's about, for me, that, that help and support for the parent. And you know, nothing is a lost cause in any way. So it's still, yeah, that's strength-based rather than the deficit stuff that often happens. I, I, I mean, I, I, I do consider safety as well, you know, of course. We all want our kids to grow up healthy and strong, and sometimes, the parent or someone might be the best person at that time in their life because they've got to deal with stuff. Yeah. So again, I don't if I've answered your question, I just go off on tangents again.

**Counsel Assisting:**

No, no, thank you. So in terms of, that leads into reunifications. If, if a child is removed from an indigenous parent who's not in a place to be able to care for them. The standard now, when the Act was changed in 2017, was that timely decisions have to be made for permanence for children, which the statistics would now show us that that's led to not only an increase in long-term orders being made sooner, but more long-term orders being made for Aboriginal children. Without any sense that those children, once under a long-term order, can come back into the care of the family. What do you say about that?

**Associate Professor Yvonne Clark:**

I don't know. I mean, I was when I heard that that was the new legislation, I was devastated to be honest. I mean, this is probably a more personal thing. I mean, when I was there, it was more shorter-term orders and we had an opportunity to really work with the parents and, and there was always hope for the parents, I think that now with the sort of decision to go to long-term orders quicker and, and you know, the strict time frame that parents have to sort their lives out is just unrealistic and we're just setting up families. And I just, I cringe at it, I'm, yeah, personally, I was devastated in hearing all that stuff. And, you know, like it, and I know, my colleague, Karen Glover, also gave some evidence and I think she already talked about some of our programs of support for young people, not young, they're not always young, for, you know, pregnancy and, and doing a feasibility study, but an action one, not just doing the research or put services in the hospitals for parents to, you know, get counselling and to alleviate stress and to get some legal advice and all that sort of stuff and we're assessing the feasibility. But we've also got another grant were we're looking for better assessments and a, you know, much more support for Aboriginal parents. And we're working with the system at which all it, you know, the medical system, hospital systems, which aren't always easy, but they seem to be on board for now, and hopefully in the future. That's the work that we have to do to make sure it does get in, and that our evidence is good evidence and stuff for those. But anyway, why did I go down this path was yes, so often we get, we do, there are quite a few in, involved in child protection and they've required letters from us, and you know, they've said positive things. I'm so glad that, you know, you were here. At least it gives me some, somewhere to, some, something to, you know, something to help me with, you know, pregnancy is quite overwhelming, and all the systems, and all the different services you have to attend, especially if child protection are around you. Yeah. And I was just having a con, and I'm raving on again, conversation with my colleague yesterday who was talking to an Aboriginal father who, who's had three kids and his, and his wife was from Stolen, was GOM, and I don't, I know it's not GOM, they're not GOM kids anymore, that's a label, but that's what the word that they used. So they have child

protection, they're both working and they still have child protection in the background. So it's that, yeah, unborn notification stuff, and there, there, there's, there's still the red flags on the system even though they're both working, have three kids and they, they just live in fear. So, of all this stuff. So, there's that fear factor. So this was from a consultation that only just happened this week and we, we do get this, and I'm going off in other directions now because it just triggers my mind, you know, we're constantly talking to different people through our research, and through our ACRA group as well, about, and you know, about pregnancy and, and safety and stuff as part of our projects, and yeah the child protection stuff and unborn notifications, all that stuff constantly comes up, so we know that community are frightened about it. And especially, yeah, pregnancy, pregnant mothers. I mean, a lot of the, I think our program, we've had quite a few people joined our program, research program, but there are going to be just as many that don't, and we know from conversations with other people that they are frightened to, to get help because once they get helped it's kind of known that they need help, and once you admit that you need help, then you're possibly come to the attention of child protection. So then, they don't get help. So then, it creates that vicious cycle. Then, then they kind of get notified through other ways. So, yeah, it's that threat there that they were all kind of, and I'm sure you already know and have heard this. So yeah, but this comes up constantly in, in our work and conversations with lots of people.

**Commissioner Lawrie:**

Hmm.

**Counsel Assisting:**

So what impact does that living in constant fear have on, on parents developing relationships with their children and, and developing relationships that are supportive of themselves?

**Associate Professor Yvonne Clark:**

Yeah. Well, I, I, I, everybody's going to react differently to that, of course, so I don't know, I don't know. But generally, of course it's gonna add to your trauma stuff, if you, you have got trauma in your past, which, as I've said, most of us have got various levels of trauma and it can be quite easily triggered off if you're living in fear and the stress that you live with. And ultimately, the wellbeing and mental health, if it's not sort of, if it's, if you're not supported to help, help you through that, you'll go off, you could go off on your own, on your own path that might be, you know, that might destroy your relationship with your child if you don't get some assistance or support, if you, you know, you're feeling threatened by the Department or even the trauma stuff.

**Counsel Assisting:**

But then, asking for support is seen as a weakness, and that's the reason?

**Associate Professor Yvonne Clark:**

But asking for support is, is, yeah, it's seen as, it could be seen as a weakness, but not so much. I don't know if it's seen as a, as a weakness from a parent to get support. I think it just reveals that you need support. It just opens up that, it opens up something where you're then could be seen by the Department. So it's a system's weakness I suppose. But I, I think parents want support, but I don't think they see it as a weakness in their, their character or themselves.

**Counsel Assisting:**

But the Department does, is what I'm saying.

**Associate Professor Yvonne Clark:**

Yeah, the Department.

**Counsel Assisting:**

The Department sees it as a weakness.

**Associate Professor Yvonne Clark:**

Yeah, the Department, yeah, the Department will see it as a, as a weakness in them. Yes. Yes. Sorry. You're right. Yeah. The Department will see it as a, as a weakness in them. And then it opens up, yes, maybe this family isn't as, or this parent needs, needs some intervention from us or needs us to have a closer look at their relationship or their safety of the kid, so I don't know. Yeah. But it's certainly that, yeah, that fear factor is just, is, is damaging. And when, I was just reading over my student's thesis again, so, that she'd put in here 'cause she spoke to about eight clinicians, mostly Aboriginal, some non-Aboriginal clinicians, about attachment and bonding. And she was, she had lots of stuff in there, but one of the things, just because it's leading on to that, was that some Aboriginal parents also, you know, that they, apart from living in fear, they also, you know, change, try and, you know, code switch and pretend, or not pretend, that's not even the word, you know, take on a lot of the Western practices just to sort of appease the child protection system.

**Commissioner Lawrie:**

Hmm.

**Counsel Assisting:**

Hmm.

**Associate Professor Yvonne Clark:**

So, so that they're not noticed. So it's all about not being noticed almost, it's like they need to hide. So it's still the old days of, there was more in that, you know, we hear stories about parents taking their kids to physically hide, the kids from being taken away. Now it's the sort of, you know, you're changing your behaviours, you sort of acting and, and being, so to say, what's the right word, yeah, behaving in a, in a, in a way to, yeah, I'll just repeat what I say then, just to appease the system. Just trying to think of an example, but I can't. No I, no, my brain, brain dead. So yeah, so that was one of the main, one of the things in the thesis was that changing who you are, changing your style, changing lots of things to, to sort of show that you're kind of don't stand out anymore, and that you're part of a white system as well.

**Commissioner Lawrie:**

Would you see that as being different to assimilation?

**Associate Professor Yvonne Clark:**

It is. It's social control still. I think so.

**Commissioner Lawrie:**

Yep.

**Associate Professor Yvonne Clark:**

It's still assimilation, it is. If you don't, basically if you don't conform and show us that you're parenting in a kind of a white way, then we're gonna sort of have a close look at you. So it is that constant hiding, still hiding, psychological hiding, behavioural hiding, rather than the physical hiding?

**Counsel Assisting:**

Yvonne, there was a, there was an article came through on the ABC News feed this morning...

**Associate Professor Yvonne Clark:**

OK.

**Counsel Assisting:**

About the United Nations Rapporteur has been out here in the last month looking at the number of removals of Aboriginal children in Australia. But one of the, the article included a story about a young mum who'd had her children removed, and done a lot of work, and got them back, but said that she had to have a dining, she had to go and buy a dining table because that's what's expected in the Western world, whereas she would normally sit on the floor and eat with her children. But that just was, that was going to have her children, her terror was that that would have her children removed again if she didn't have that house.

**Associate Professor Yvonne Clark:**

Yep. Yep.

**Counsel Assisting:**

That's the sort of thing you're talking about?

**Associate Professor Yvonne Clark:**

Yeah, no, that's what I'm talking about. Yes, you have to have all the flash stuff and, and, and do things differently so that it looks like you're, you're a part of the mainstream system. Yeah. And, and I'm trying, I'm trying not, trying to stay away from, you know, white way and black way and, and, you know, using that sort of language, but, but that is what it is. You have to sort of almost to turn, turn, you know, your behaviours turn it into a sort of the white way of living. So yeah, that, that's the example, so thank you. I, I couldn't, I couldn't quite think of an example, but it is about buying that and buying it at, you know, a table or making sure your house looks, you know, flash in some ways and good couches and good stuff.

**Counsel Assisting:**

And what we hear frequently in family court proceedings is criticism that there's six children sleeping in a bedroom.

**Associate Professor Yvonne Clark:**

Yep. Yep.

**Counsel Assisting:**

Or six children are sharing beds.

**Associate Professor Yvonne Clark:**

Yeah. Yeah. So, so, you know...

**Counsel Assisting:**

If there's, they don't have an individual bed in a bedroom, then there's something not right.

**Associate Professor Yvonne Clark:**

Yeah. Yeah. Yep. Yep. So, so, that those sorts of things came up in my last assessment with court. Although, I did, you know, recommend that'd be lovely, you know, it'd be good if they all had their own beds and stuff like that, which then the Department helped with. So, sometimes you have to, from my position, I have to sort of look at that and say it's not necessarily deficit but, you know, for their own space, it could be good to have their own beds and, and stuff like this. And if the Department, because they're already under the guardianship order, the Department can help with



them, that's good. It shouldn't be a, a reason to remove kids at the start, no. But it did, you know, you obviously, as...

**Counsel Assisting:**

But it's fair to say that much of that is poverty linked.

**Associate Professor Yvonne Clark:**

A lot of it is poverty. I mean, as an assessor, I mean, I would look at the sleeping in beds and who, who was sleeping with who, and, you know, older, old, an older male with a young kid.

**Counsel Assisting:**

Sure.

**Associate Professor Yvonne Clark:**

You know, their safety things, you look at with all that stuff. But if, you know, their cousins the same age and they're sleeping in the bed, and they've always done that, or three young kids all sleeping together, of course, that's perfectly fine. And, you know, that's the way we, we sort of, we grew up and it's kind of nurtured. It's a very nurturing thing to have that, to have that comfort with you and it build those bonds with your cousins and stuff, and you can sit down and laugh about it later, you know, about how somebody kicks somebody in the, you know, face or how somebody wet the bed and all over everyone. You know, all those stories, they're funny.

**Commissioner Lawrie:**

Familiar stories, yeah.

**Associate Professor Yvonne Clark:**

And that they're the, they're the bonding things, you know, they're the things that bond you for life. And, and you know, it's got lots of reasons and, and partly it is poverty but partly, you know, it's kind of what we do too. Sometimes, you can have a spare bed, but at the end of the day, you'll see, it's still all the cousins might be all sleeping together on the mattress in the, in the lounge or something because they, they want that comfort too, and they want to sit up and tell stories and, and, and, you know, talk about something. So, yeah. So some of it's cultural, some of it is poverty. Yeah.

**Counsel Assisting:**

Yvonne, can I just ask? Sure, but can I just say, ask, in terms of attachment and bonding that that attachment with cousins and, and other children is, is important.

**Associate Professor Yvonne Clark:**

It is. That's the, the kin attachments, the broader attachments. So it's not just the nucleus family, the mother and the father, which is what the Western model mainly looks at. It's a, the holistic attachment and it needs to be with, you know, to find yourself and your place, you need that attachment with, with lots in your family. And that's often your cousins. I mean, admittedly, some, some Aboriginal people don't have a big kin network, although, word from Stolen Generation and sort of don't connect and that there are, there are, there are some stuff around where that may not happen. But you know, if you're, if I was doing an assessment with someone, you know, that would be part of our conversation about how you can connect broader, and you know, how that, how that can happen and, and all that stuff looking at the, not from a deficit only model.

**Counsel Assisting:**

Yeah. Thank you.

**Commissioner Lawrie:**

Thank you.

**Counsel Assisting:**

Do you have any more questions?

**Commissioner Lawrie:**

No, I don't. All good from me.

**Associate Professor Yvonne Clark:**

OK. Yeah.

**Counsel Assisting:**

Is there anything else you'd like to say, Yvonne?

**Associate Professor Yvonne Clark:**

Had some notes, but I think, I sort of captured some of the stuff, yeah, holistic. No, I think I've kind of talked about a lot of the stuff that I've had written down here.

**Commissioner Lawrie:**

I've got a question, sorry I, I do have a question, Yvonne.

**Associate Professor Yvonne Clark:**

No, that's alright. Keep going. Keep going.

**Commissioner Lawrie:**

And the question is to you, do you believe in yourself as an Aboriginal person with the experience and background that you have as a psychologist, that you have had an impact on changing, I guess, aspects of the system in regard to child protection?

**Associate Professor Yvonne Clark:**

I, when I was in there, I worked with child protection, I think I changed lots of some of the practices and stuff like that at the time. But, as I said then, then you leave, and new people come in and then it gets lost. They don't kind of, it's not necessary a systems change. But then it can still change. So I think at the time, I had influences, I made a difference. I guess, as an Aboriginal person, I'd always try and make a difference, no matter where I am, and sometimes, they're bigger differences than others. For instance, at the Uni now, trying to get it more into the curriculum, and it's always a fight to do that. Sometimes we get gains and sometimes you don't, and you sort of strike when you can. There's all sorts of tactics we kind of, I kind of use. I'm not an, you know, a really loud person, as you know, but I can still kind of, you know, that, that doesn't matter, sometimes, the loudest don't always get heard either. They get heard at the at the time, but that's maybe not how the change happens.

**Commissioner Lawrie:**

Yeah.

**Associate Professor Yvonne Clark:**

So yeah. So I do try different things to make a difference. I don't, you know, I would perhaps like to, it's, it's taken a long time for little changes, and I see gains and then it goes backward. So you know, when we talk about the vicious, you know, the cycle of these things. But I would like to see sort of long-term change. And, and I guess, in legislation, but then even legislation can change like, like the Act and stuff, so, and I felt like that went backwards as well with the long-term order. So like,

nothing really feels secure even when you do make changes, but, but having said that, you know, like you know, you can't give up and say no, it's just going to go backwards, and then not go forward. And like, I'm still trying to improve things, and even though, I think I'm sort of heading more towards retirement age, I'm trying to really capacity build and make sure that we've got other psychologists coming through, and that's in part why I went back to the Uni, almost killing myself, having a joint appointment because it's two systems that want full-time out of you.

**Commissioner Lawrie:**

Yep.

**Associate Professor Yvonne Clark:**

So, you know, so you know, I, I do think I'll make a difference and I want to encourage that with new people coming through that just keep going, and it's, there's always, yeah, it's, it's still going forward even though there are backward steps, you know.

**Commissioner Lawrie:**

Excellent. Thank you. Thank you, Yvonne.

**Associate Professor Yvonne Clark:**

Alright.

**Counsel Assisting:**

Yvonne, we're hoping that the, the outcome of this Inquiry will be change to the number of Indigenous children being removed from families because those, the statistics show that they are increasing. Do you have any idea of how that change could come about?

**Associate Professor Yvonne Clark:**

No, not really. I mean, I'm probably coming from it from the psychological perspective, I guess. For me, it is that, that sort of the better assessments and that, you know, the attachment and bonding stuff isn't the decider for all of this stuff, especially with narrow assessments. And that there is, I mean, we, that there is more conversation with the families and understanding. I mean, I know that there are often big files on Aboriginal families, so supposedly, they've got all the, the relevant information there. But do they really look over it and really understand a lot of that stuff? Or is it just a, you know, documenting to cover people's, and you know, to cover their own ground?

**Commissioner Lawrie:**

Hmm.

**Associate Professor Yvonne Clark:**

Type of thing, you know. I, and I, and I, I guess I don't agree necessarily with the longer-term orders. Maybe, it does need to be there, but not sort of a, a direct, you know, most kids go on them in that short window of time. I mean, it's taken so long.

**Commissioner Lawrie:**

Yep.

**Associate Professor Yvonne Clark:**

You know, people need time to heal and, and, and yes, they can still heal while they have children, if they've got the right support, of course. Of course, we do have to look at safety, there are some kids who are, you know, being abused. And, you know, but we have to be accurate with what, what our

assessments are, not just sort of perceived safety or, or, you know, if you interpret something wrong, you think that the kid is really unsafe based on a very narrow assessment.

**Commissioner Lawrie:**

Mhmm.

**Counsel Assisting:**

Thank you.

**Associate Professor Yvonne Clark:**

Yeah, there's, there's lots to it, yeah. Yes, change the legislation back, I'd change it. So, yeah, it'd be great. Yeah. Otherwise, yeah, there's lots of areas I think that would make a difference. But right now, I just can't think of them all.

**Counsel Assisting:**

Thank you. Thank you very much for your time, Yvonne.

**Associate Professor Yvonne Clark:**

OK, no worries. Alright.

**Commissioner Lawrie:**

Thank you.

**Associate Professor Yvonne Clark:**

No worries. See you, April. See you later.

**END**