TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into the State Education System in Victoria

Melbourne – Wednesday 8 May 2024

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Ryan Batchelor – Deputy Chair
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Renee Heath
Joe McCracken
Rachel Payne
Aiv Puglielli
Lee Tarlamis

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David Ettershank
Wendy Lovell
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Richard Welch

WITNESSES

Alisha Bennett; and

Catherine Civelle.

The CHAIR: Welcome back to the Inquiry into the State Education System in Victoria. Joining us in this session are Catherine and Alisha.

Before we continue I just want to read some information to the witnesses here with us today. All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information provided during this hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same thing, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. The transcript will ultimately be made public and posted on the committee's website.

Just for the Hansard record, could you please state your full name and any organisations you are representing today.

Alisha BENNETT: Alisha Bennett. I am just a mum – well, not just a mum; I am a mother.

The CHAIR: Thank you, Alisha. And?

Catherine CIVELLE: My name is Catherine Civelle, and I am a mother as well.

The CHAIR: Welcome, ladies. Thank you for coming in. Just quickly, my name is Trung Luu. I am the Chair. Ryan Batchelor is our Deputy Chair. Aiv Puglielli, Ms Melina Bath, Mr Joe McCracken and Ms Moira Deeming are on the panel today, and also Dr Renee Heath is on Zoom joining us.

We got your submission. If you are happy, we will go straight into questions.

Alisha BENNETT: Yes.

The CHAIR: Deputy Chair, would you like to start?

Ryan BATCHELOR: Thanks, Chair. Catherine and Alisha, thanks so much for coming in and also for sharing your stories with the committee – obviously some challenging sets of circumstances. One of the things I want to get to initially is: how responsive do you feel the education department has been to the concerns that you have raised?

Alisha BENNETT: Do you want an honest answer?

Ryan BATCHELOR: Yes.

Alisha BENNETT: Terrible. I fought for Lucas for probably about two years. I was going into the office, I was emailing them. They knew who I was when I rang them – 'Oh, you just need to wait. You just need to wait.' Then the person that I spoke to would not be available, so the next person would talk to me, and I would have to start it all over again. Then they were like, 'Put it in writing.' So I put it in writing. Then I would wait and I would wait, and the same thing would happen over and over again. Eventually someone would respond to me, but it was still like a waiting game. I felt like they should have had more pull. They should have been able to help me more.

Ryan BATCHELOR: What do you mean by that?

Alisha BENNETT: I initially tried to get Lucas into this specific school because they told me that it had amazing programs for children with autism, of which I have three out of four. He was not going well. He lasted three days at his first high school; all he did was cry. I had to take him out. I sent him to a flexible learning high school – disaster. I tried a normal school. I could not get him into a classroom. These to me sound like exceptional circumstances. They told me they were not. It would not have mattered what I said; I still got the same reply in the end, and at the same time my son was still at home playing video games, living his best life for 2½ years instead of going to school.

Ryan BATCHELOR: Catherine?

Catherine CIVELLE: My story is actually really long. It started when my son first started school. He has had severe challenges. They were labelled differently – well, initially they were labelled social communication problems and behavioural problems, but we never really knew the cause. I was told – well, I was made to believe that it was all because of me – bad parenting, which is a stigma usually given to First Nations families. Child protection became involved because of my inability to control my emotions, I guess. It is so typical that women get blamed for being overly emotional when we are struggling. I was a sole parent. I have one son. He really struggles; he struggles at school. He cannot go to school. I accept now that he cannot. I have tried.

Your initial question was: did I find it hard to communicate with the department? Yes, even in the region. It was just dismissive. There was no genuine response of help. I put it down to a simple thing. It is like, if you do not fit into a box, if your child's needs do not fit into the box, 'It's too hard; we don't want to deal with it. You can leave.' That is the way I see it. And the reason I say that is because my son is actually what they call high functioning, but I call it 'without an intellectual disability'. There is this misunderstanding of what autism is, and it is embedded in policies, so a lot of the targeted funding goes to intellectual disability, which is not autism.

I think the departments and schools believe that children without an intellectual disability can control their emotions and learn to adapt and get on with it. With respect to me, it was a little bit more than that. It was like: is there family violence in the home, or drug and alcohol? All of those sorts of issues were raised, which are totally not true. I just felt blamed all the time. I did not know what social pragmatic communication was. A lot of people do not. But I learned what it was, and it is actually quite easy. Once you get to know what it is, it is quite easy to pick up on it, but I do not think schoolteachers understand what it is. I think there are guidelines for child abuse, and teachers pick up on those, which are very similar to symptoms of autism – behavioural challenges and things like that – but there are no guidelines about that. There is nothing, and I think there should be everywhere in classrooms.

You just need to pick up on what the child is interpreting. Is he misinterpreting? My son is very literal, and it is in not just language but literal thinking. That caused a lot of behavioural problems. There are a lot of autistic kids who have that, but they do not act like my son. The problem with my son is that he has got – you can call it 'impulsivity'. It is energy basically. He has got so much energy. It is the fight-or-flight response. He goes from zero to 10. I guess they expect my son to 'Read your emotions, learn to calm down,' but he cannot do that. He cannot read his emotions. He is actually in therapy now with a psychologist who is teaching him how to read his emotions, in a more understanding way for neurodevelopmental children.

The problem with the education department is that they love smiley faces, and my son does not have an intellectual disability. When you show a smiley face or a sad face, of course he knows that is sad, but he does not know how to read it. He does not know where to place it on the wheel of emotions. There is 'high energy' and 'pleasantness'. When my son describes where he would put crying on the scale, he puts it in 'high energy' because he only cries when he is in a rage. There are those sorts of things.

With the therapy that he is receiving, he is starting to understand what to avoid, and he cannot socialise when there is too much sensory overload or in overwhelming environments. The way my son's psychologist puts it is that everybody has a working bench in the brain, so everybody gets sensory information or information just filtering-in on that bench and depending on the size of the bench in the brain. My son's is really, really small, so there is not much that he can actually take in. That impacts on how much he remembers, how much he hears – everything. Teachers are not really aware of that.

One of the first things that I put in my submission was the science of learning, and I believe that the science of learning is really needed in schools because it is based on the cognitive ability of the student. How can I say it? Everybody learns differently. There is no one way of learning. It does not matter whether you have autism or not. People learn differently based on their cognitive ability. My son had an education psychological assessment. I thought that he had some challenges, but I was wrong; it was actually these other challenges. So it is really important to get your child assessed. What actually happened was that the psychologist said my son can only learn through multisensory – he can only learn through actions or through stimulation where multiple senses are working so then that gets embedded into his muscle memory, otherwise he does not remember. You could talk to him. He cannot process it. It is not going to be there next week. That is where a lot of that misunderstanding about teaching autistic children is. The other thing that he said was – I have lost my train of thought now.

The CHAIR: That is all right. I will quickly ask a question, and you probably will add to it. Sorry for all the problems you have gone through so far in relation to your experience with the department and schools and stuff. Just in relation to your kids, I know some kids learn differently. We all learn differently. Whether we are challenged or not, everyone learns differently. Just in relation to children with special needs or facing challenges, from your perspective as a parent, do you think the school should be managing that or the department should be assisting in that area?

Alisha BENNETT: I think both should because neither of them really know what they are doing or what they are talking about. They told me years ago that when you are studying to become a teacher you do not spend very long learning how to teach children with autism. It is not a whole big thing. How do you know what you are doing then? I have three of them. They are not all the same. One responds this way, one responds to that. If you do not take the time – even this year I have had teachers go, ‘How do I connect with Flynn?’ my younger son. I am like, ‘You need to give him time. If he doesn’t like you, he’s never going to like you. If you push him, that’s it.’ But they do not listen to what I am saying, and they just continue to push and push. Who do you talk to? Who is going to talk back to you? Nobody. I email the principal. I email the coordinator. Sometimes you get a reply; sometimes you do not. It is like, ‘We can’t be bothered, because she emails too often.’ Who do you talk to that is going to help you, actually answer you back and listen to what you are saying? Limited people.

Catherine CIVELLE: I have to agree with that because that is a similar problem to what I had. I think teachers are really busy. The principal is really busy. I did have a meeting with her, and she did say, ‘I get a hundred emails a day. If you email once, email again.’ But when I do email again, if I am trying to talk to somebody, I think they have got other priorities as well. There are other kids that seem to be louder than my son, because my son is very quiet, and that is the problem. He does not get as much attention. That is what he says, and he gets misunderstood as well. I do not know if you guys read my opening statement, where I actually listed the symptoms, and there are a lot of different symptoms that I know teachers are not familiar with, like auditory processing disorder. He can probably hear, but he cannot listen, because words are sounding muffled – those sorts of things. The only way you know that is through assessments. A lot of First Nations children do not have access to assessments at all, so it is really hard. We did not. We were engaged with our local community-controlled health organisation, and they did not have any assessments there or anything neurodevelopmental. They were looking at other things rather than the issues, and they told me that my son is smart so he is not autistic.

The CHAIR: Thank you for that. I think the assessment part and accessing assessments is something to look into. Ms Bath, let us go to you.

Melina BATH: Thank you. I am sitting here squirming because I can identify with some of your pain, but it is not something that I will go into. I think it might have been you, Catherine, who wrote about the kite. Was that you?

Catherine CIVELLE: Yes.

Melina BATH: At the end of the first page you said the education department is in dire need of independent oversight. You also are concerned about the undermining of child safe standards. Children are supposed to go to school and be safe. There is a relationship, and it is a very complex one: parents, teachers, principal, the education department, with students stuck in the middle. Alisha, you as well, but we have only got a short time: what do you want us to recommend to government for how we can change – I will say the system, but let us go to the education department? What does the education department need to change to support your individual students?

Catherine CIVELLE: They need to put children first. At the moment they put the department first. They protect teachers. I actually have it in a letter from the department. If my son says something, what has happened, and there is no physical evidence – it is sort of undermining what he is saying.

Melina BATH: Can you provide that letter to the committee at some stage?

Catherine CIVELLE: Of course, yes.

Melina BATH: Thank you. Keep going.

Catherine CIVELLE: I received a letter saying that for the sake of the teachers – I forget what it said exactly – I needed to sort of prove that this is what happened, what my son said. He has seen a psychologist, he told the psychologist, and the psychologist said he is absolutely telling the truth.

Melina BATH: Okay. So the child needs to be believed. Sometimes they are not communicative in a normal way, we will say – I do not mean that disrespectfully. They are non-verbal or partially non-verbal or the like. Is that right?

Catherine CIVELLE: Exactly. My son is situational non-speaking, but he is intelligent. He is not stupid. He can see what is happening around him. I do not feel like I am believed either; I feel like I am dismissed. It is like, ‘No, you’re a troublemaker,’ if you raise these issues. I just want to say about the legal department – I went to a negotiation session with them, and it did not work out that well because, I believe, they just had the department’s –

Melina BATH: They were looking after their people.

Catherine CIVELLE: Yes, their own, and not the child. And that is what I mean: you need to put the child first.

Melina BATH: Can I ask, Alisha, about your experience?

Alisha BENNETT: I feel like the school thinks I am a bit of a pest, because even when I first started Lucas at this school, he went to a mainstream school for one term, back to flexible learning, back to the mainstream and back to flexible learning, because I just could not get it to work. I was emailing and calling, going, ‘How are you going to help him? What can we do? What can I put into place?’ I had the OT, I had the psych – everybody – and I just did not feel like they listened to me. They were trying to tell me what is best for my child. Well, you do not know him. You have never met him. So maybe listen.

Melina BATH: Okay. So a greater understanding about those individual support plans or individual pathways –

Alisha BENNETT: Or maybe get offered them, because he has been there since term 4 last year and I have nothing.

Melina BATH: He has not got a disability inclusion –

Alisha BENNETT: No ILP, no nothing.

Melina BATH: Okay. So that should be first. When a new student with certain conditions walks in the door –

Alisha BENNETT: Yes. And that way you can get to know him.

Melina BATH: Yes. Then you can unpack, without then becoming the nagging mother –

Alisha BENNETT: Yes, which is 100 per cent what I feel like I am.

Melina BATH: Yes, and I am not saying – I am reflecting what you are saying.

Alisha BENNETT: Yes, yes.

Melina BATH: And then it is sitting down and unpacking that from the start. We have heard Respectful Relationships say that your view and the child's can be respected – and also the teachers, with their time frame, so that maybe the department made time for that.

Alisha BENNETT: And then the teachers know how to approach them – what they are getting into, what to do, what not to do. You know where the line is – because right now they do not.

Melina BATH: Thanks. I have got lots of questions, but thank you very much, Chair.

The CHAIR: Ms Bath will forward those questions to you after. Mr Puglielli, please.

Aiv PUGLIELLI: Thank you, Chair. Thank you both for coming in, and sorry that you have gone through the experiences that you have. You are clearly both really strong advocates for your children, and coming before us today is part of that, I think. Catherine, I might begin with you. I understand in your submission you talk about sensory spaces – those safe spaces – and where those have been integrated from your experience. Could you go into a bit more detail perhaps about what you would say is the best practice of that being integrated within the school environment?

Catherine CIVELLE: Well, my son has been to four schools. Two of them had great sensory spaces, and they were special schools, so less students in the classroom. But that has got to be accommodated with one or two teachers because my son had struggled with four teachers and therapeutic staff being in the classroom as well. Because of the nature of his type of autism, he prefers to deal with just one person. He does not really like to engage with different people. The other thing is it has got to be a lot quieter as well, so not so busy. The problem with my son's autism school is that, yes, they did put him in a room with other high-functioning students, but some of those were very active and vocal and very loud. My son did respond to that and lash out with his behaviour, you know. He would just try to escape from the classroom – again, so absconding is a big thing. So I would say the ideal thing is just to put the introverts with the introverts and the extroverts with the extroverts if that makes sense. Yes, with the mainstream schools there are no spaces, especially in the older style schools. There is absolutely no room. We live in inner-city Melbourne, so a lot of the buildings are very small. In his second mainstream school there was absolutely nowhere. He had to sit in the principal's office – both principals, because the school has two principals – a lot of the time because there was nowhere he could go, and then they could not do their jobs, so everybody was really stressed on how to manage it. Then the teachers could not manage the classroom because my son just kept absconding, and they would have to run after him. He could not even do a full day at school. It was just half days. Sorry.

Aiv PUGLIELLI: Thank you.

The CHAIR: Thank you, Aiv. Mr McCracken.

Joe McCRACKEN: Sorry, I thought you were going to go to Moira next, but that is fine.

The CHAIR: Give and take.

Joe McCRACKEN: Yes. Firstly, I can see that both of you have been through a lot of trauma – a lot of pain, a lot of suffering – and I can see that reflected in your experiences. I think, firstly, we should acknowledge that and acknowledge that the state education system and the government have failed you, and that needs to be acknowledged. I know that that must be incredibly difficult for you but particularly for the young person in your care. That is who we are here to talk about, to make recommendations to improve. I guess my question really is a very simple one, in that, knowing that you have been through the horrible experiences that you have been through, tell me what things would have made that process easier for you.

Alisha BENNETT: I wish that zoning was not a thing. That was the root cause of all of my issues. I sent Lucas in year 7 to my zoned school. He lasted three days. He cried for three days non-stop. Eventually I had to go and pick him up, and the principal said to him, 'If you don't stop crying, Lucas, I'm going to report your mum to DHS, and you're going to get taken off her.' I walked into her office, and I said, 'I'm his only parent. His whole world revolves around me.' She goes, 'That's why I said it.' I rang the education department, but I could not go further because my eldest daughter was still at the school. Looking back now, I probably should have done it. I took her out because children were threatening to stab her, so not the best school.

Joe McCRACKEN: It is awful.

Alisha BENNETT: And then I got told that this specific school was amazing for children with autism. It had different spaces and it had programs; it sounded amazing on paper. Two streets, and I could not get in. I wrote emails, I wrote appeals, I wrote to the principal and I went into the school. They said, ‘If you have exceptional circumstances.’ This was after he had been at St Jo’s flexible learning for a year, and it was a disaster. It made his anxiety 400 times worse because the children there – there were behavioural issues. It was just out of control for him. And still, after everything I said to them and everything that happened to him, that was not exceptional enough to get in there. I wrote to *The Project*. I wrote to *A Current Affair*. I went to Natalie Hutchins’s office every day. I went to the education department near my house.

Joe McCRACKEN: What response did you get from Natalie Hutchins?

Alisha BENNETT: ‘Send him to your local zone school.’

Joe McCRACKEN: That is pretty heartless.

Alisha BENNETT: Why is she the education minister when she does not care? She does not care at all. And I went there every day. She is my local – like, she is literally a 5-minute drive from my house. She was never there for me to talk to. I am like, ‘What do you actually do? Do you do anything? As far as I am concerned, no. And why are you the education minister when you clearly don’t care about children’s education?’ Two streets away, and even to this day I still cannot get him in there.

Joe McCRACKEN: I can only imagine how awful that would have been for you.

Alisha BENNETT: I was losing it.

Joe McCRACKEN: I am interested to hear from you too, Catherine.

Catherine CIVELLE: Yes. Sorry, what was your question again exactly?

Joe McCRACKEN: What changes could have been made to make your experience better?

Catherine CIVELLE: Well, just – a lot.

Joe McCRACKEN: Yes. I know there are a lot. I know we have limited time, but I am interested to hear what your perspective is.

Catherine CIVELLE: Okay. Just respect. Just listening instead of dismissing. I think being able to be responsive as well and adapting to what I am saying. I think that assessments within the department – I realise that there is a change now to the way the disability inclusion program works, but before, there was a lot of emphasis on, like I said, intellectual disability. There needs to be more education about what autism is and even ADHD, because I think those two have a lot of impact on society in general. So you have got to think about the social cost. If we do not look after it in schools, then outside of schools –

We were just listening to the ladies before who were talking about gendered violence. My son, you know, you could say that he is violent. He is violent. But the reason he lashes out – he has got no control. If you do not give them the right supports to address that issue, which could be related to ADHD, impulsivity and the ASD, it is just never going to get better. And then there are these young men – because it affects boys more; girls are different when they have got ASD –

Joe McCRACKEN: So you are saying it is a misdiagnosis – like trying to fix a car by replacing the tyre instead of the engine.

Catherine CIVELLE: Yes. Exactly. If this is not fixed in the education system, it will then eventually be out in our society, you know, in relationships and that sort of thing. I often said to the teachers at my son’s school, ‘You know, he’s never going to get married – he’s never,’ because he just misinterprets people. He gets so angry. Any little problem that he has, he gets frustrated, you know. And it is an overreaction to whatever he is frustrated with, but it is just that emotional dysregulation that he needs support with. And if you ignore that as children, because it is better to get it when they are children, in society you are going to have to deal with it later.

Joe McCRACKEN: I think my time is up, but thanks so much, both of you.

The CHAIR: Thank you. Moira.

Moira DEEMING: Thanks. I will keep it short as well. Thank you so much for coming here today, and yes, like Joe I am just very sad to hear of your experiences. The thing that I really noticed was that as mothers you never give up on your children, and yet that instinct, which all of society depends upon, was treated as an irritation by all the people in power, I guess. And I do get it. It seems to be that no-one knew how to help you. No-one knew what to do, and it was like people were just throwing their hands up. I thought it was very gracious of you to constantly put into your submission the fact that you understand that people have lots of emails and they do not have the training and things like that.

I do not know if you know this, but I was a teacher. I had a kid with autism – this was a while ago – but I was not allowed to tell any of the other children that he had autism. They really did not like him because he could not read facial expressions. They thought he was just weird, and they did not like him. They were like, ‘We don’t like him, Miss,’ and I was like, ‘I don’t care. You can’t bully him.’ Then I was thinking about it later, and I went up to that group of boys and I said, ‘Would it make a difference to you if you understood that there is something about him that means he actually can’t read your facial expressions? He is not trying to be annoying; there is an actual medical reason. Would that make a difference?’ They said yes, and I said, ‘Well, how about you just consider that to be a fact and change your attitude towards him,’ and they did. So I was just thinking: what do you think about education with a whole-of-school approach, which we have been talking about with other topics? I think sometimes the students need permission to say that there is something different about that kid, but they also need a framework to understand it and to not react badly to it. What do you think about that? You are mothers, and you do not want your child labelled. I get that. But what do you think about that as an idea?

Alisha BENNETT: I think that would be the best thing ever, because Lucas is like, ‘Mum, you can never tell anyone I have autism or anxiety or ADHD. I’m embarrassed. You tell everybody. If I ever get a girlfriend, Mum, don’t tell her.’ Then my youngest son said that he went to class the other day and a girl said to her friends, ‘I’m not sitting next to that autistic kid.’ I said to him, ‘Do they even know you have autism, Flynn?’ He goes, ‘No.’ This is what they have to deal with at school by themselves. I said, ‘Oh, my God, if I was there.’ I would just get that – in me.

Moira DEEMING: You are a mother.

Alisha BENNETT: Lucas was like, ‘Why do you have to tell everybody?’ I went, ‘I’m doing it to try and make things better for you.’ But now it has backflipped on me because he will not take his medication, he will not see any therapists, he does not want me to talk about it at school and he does not want me to tell anyone at all. I took them both to get cognitive assessments last week, which I had to fund through the NDIS and external funding because the school told me it would take two years. He was like, ‘What is this for, Mum?’ I said, ‘I’m just checking your IQ, mate.’ He was like, ‘Well, if mine is less than Flynn’s, I’m not telling anybody.’ He just does not want anyone to know anything about him now.

Moira DEEMING: Whereas if it was a generalised approach to those kinds of things –

Alisha BENNETT: If they were out there going, ‘Look, some children have this. Some children have that. It doesn’t mean anything bad. Sometimes it’s actually a good thing,’ then he would not feel so –

Moira DEEMING: ‘It’s your responsibility to work out how to relate to these people. They exist and they are here. You’ve got to respect them, and you’ve got to work it out.’

Alisha BENNETT: But for him to say to me, ‘Don’t tell anyone, Mummy. That’s embarrassing,’ that killed me a little bit inside.

Moira DEEMING: Yes, that is heartbreaking. My time is up. Thank you.

The CHAIR: Thank you. Dr Heath, do you have any questions? We are short on time.

Renee HEATH: Look, it is okay. I have just been listening. I do not think I have any other questions. Thank you so much.

The CHAIR: Thank you, Dr Heath. Thank you, Alisha and Catherine, for coming in. It is very much appreciated. Hopefully, with all of your submissions we will look to report and find proper recommendations to improve our education for kids that find it challenging in school as well. Thank you so much for coming in.

Witnesses withdrew.