PURPOSE

On 15 June 2017 a review into the circumstances of each Aboriginal and Torres Strait Islander child and young person involved in the child protection system, including those in out of home care was announced.

The Our Booris Our Way review is focusing on systemic improvements needed to address the over representation of Aboriginal and Torres Strait Islander children in the child protection system in the ACT.

The Interim Report from the Our Booris Our Way review was provided to Government on 31 August 2018. A final report is due to be provided to Government by the end of the 2019 year. The review methodology is iterative, meaning the Steering Committee will provide recommendations to Directorates and the ACT Government throughout the review period. Further recommendations were received from the Steering Committee on 19 December 2018, 10 May 2019 and 24 September 2019.

A total of 15 recommendations have been received, of these several have multiple components.

The initial report from the Review identified four key recommendations with themes in the areas of:

- cultural proficiency of Child and Youth Protection Service (CYPS) staff;
- implementation of the Aboriginal and Torres Strait Islander Child Placement Principle (CPP) within policy and practice; and
- access to Family Group Conferencing for all Aboriginal and Torres Strait Islander families in the statutory system.

All four recommendations were agreed to by the Community Services Directorate (CSD).

Several of the recommendations received in December 2018 relate to the work of Government more broadly and impact on multiple directorates. Input from these directorates has been included in this report.

The first and second and third progress reports provided to the Steering Committee in November 2018, February 2019 and June 2019 outline progress against recommendations made by the Steering Committee in their Interim Report.

This fourth quarterly report demonstrates further progress made by ACT Government to address the Our Booris Our Way, December 2018 and May 2019 recommendations. The recommendation received in September 2019 will be responded to directly to the Our Booris, Our Way Steering Committee.

It is important to note that all quarterly updates should be read together in order to obtain a full understanding of the progress made on each recommendation.
RECOMMENDATION 1 (AUGUST 2018)

That allocation of cases involving Aboriginal and Torres Strait Islander children are prioritised with a dedicated and experienced team of child protection workers with demonstrated cultural awareness and willingness to work with the community.

The current pattern of allocation across geographical region and age groups means that experienced child protection workers with cultural competency working with Aboriginal families are not necessarily allocated these cases. The situation demands highly skilled and sensitive approaches to preservation, protection and restoration.

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED - CSD is committed to increasing the cultural proficiency of all staff within the Directorate, and in particular in CYPS. CYPS will consider the cultural proficiency of staff when allocating families involving Aboriginal and Torres Strait Islander children, with guidance from the Cultural Services Team, within the current CYPS structure.

STATUS: IN PROGRESS

ALLOCATION PROCESS

CSD continues to be committed to increasing the cultural proficiency of staff by ensuring comprehensive cultural training is offered and completed. Attendance at this training is monitored and provided to the leadership team allowing for all Aboriginal and Torres Strait Islander cases to be appropriately allocated during the case allocation process. This process also takes into consideration the needs of the family, the experience of the CYPS staff members and their ability to apply cultural awareness to the circumstances reported to CYPS.

Providing opportunities for training that increases cultural proficiency and supporting staff attendance remains a key priority for CYPS. In addition to the Cultural Development Program, Children, Youth and Families (CYF) has invested significantly in supporting and building the cultural competence of its staff by offering a range of training opportunities aimed at improving culturally responsive practice, including:

- Aboriginal and Torres Strait Islander Child Placement Principle: Guide to support implementation (two days)
  - Training delivered by SNAICC aimed to generate ideas and plans to improve child protection practice to achieve better outcomes for Aboriginal and Torres Strait Islander children to keep them safe and connected to culture.

- Aboriginal and Torres Strait Islander Child Placement Principle: Practical ways of implementing (two days)
  - Training delivered by SNAICC aimed to deepen understanding of the scope of the Principle and increase capacity to effectively implement the five elements across functions. Separate sessions were delivered targeting managers/team leaders and case managers.
• Questions and Answers: Identifying practical ways of implementing Aboriginal and Torres Strait Islander Child Placement Principle throughout the continuum of care (three hours)
  
  o Training delivered by Curijo to identify practical ways of implementing the Aboriginal and Torres Strait Islander Child Placement Principle throughout the continuum of care.

• Embedding the Aboriginal and Torres Strait Islander Child Placement Principle into Practice (2x half-day sessions)
  
  o Training delivered by Curijo on practical ways to implement and embed the Child Placement Principle into practice. Information from these sessions has been developed into a Practice Guide which was provided to participants.

• Cultural Safety Masterclass (three hours)
  
  o Delivered by Professor Richard Franklin covering cultural meaning and identity, forces for and against cultural safety, cultural safety, trauma, reclaiming cultural safety, cultural safety from inside, cultural loads and cultural platforms.

• Family Group Conferencing (one hour)
  
  o e-Learning module delivered by Curijo providing an introduction to Family Group Conferencing.

• Family Group Conferencing Accredited (three days)
  
  o Training delivered by Curijo to assist in developing effective family plans.

• Family Group Conferencing: Case Manager Training (three hours)
  
  o Training delivered by Curijo providing information about the Family Group Conference model and how it is implemented at CYPS, including program evolution since the initial pilot.

• Finding Kin e-Learning: Explore through a cultural lens (one hour)
  
  o e-Learning training on Finding Kin, developed by the Cultural Services Team.

• Cultural Development Program
  
  o Delivered by CYPS

• Viewing of ‘After the Apology’ documentary
  
  o Screenings held for staff in July, August and September 2018.

CYPS also has a cultural awareness component to the induction process for new case managers and are required to complete this as a mandatory requirement to undertake duties.

**CYPS CULTURAL DEVELOPMENT PROGRAM**

In addition to the opportunities outlined above, CYPS continues to deliver its Cultural Development Program. This program is core training combining six face to face activities and utilising an online training program developed by the Australian Institute of Aboriginal and Torres Strait Islander Studies. The program is run over a three-month period. Participants engage in a range of face-to-face activities, including a half-day walk on Ngunnawal Country with interpretation of cultural sites of significance, storytelling, bush plants and their uses.

The program includes a viewing of the Kanyini documentary; Bob Randall tells the history of Australia’s Indigenous people and explains how they have been dispossessed of the five central aspects of life, essential for people to thrive, and indeed survive. These five things – beliefs, system, spirituality, land and family are...
central to his explanation. Participants also visit the Australian Institute of Aboriginal and Torres Strait Islander Studies to explore their resources, including archives of images and the language of the time.

This program has been specifically designed for CYPS staff to assist them to develop a better understanding of the history, spirituality and importance of the land of Aboriginal people.

CYPS has committed to a target of 80 per cent of North and South case managers undertaking the Cultural Development Program within their first year of employment with CYPS. To progress towards this target, CYPS has created a designated Aboriginal and Torres Strait Islander training position to support the future development and delivery of this program. This training officer commenced in his role in March 2019. A second Aboriginal trainer joined the CYPS workforce training and development team in June 2019 to increase the number of Cultural Development Programs that can be delivered in 2019.

The designated CYPS training and workforce positions have enabled four Cultural Development Programs to be scheduled for 2019, with support from the Cultural Services Team.

Programs commenced on:
- Program 1: 13 March 2019 and concluded on 26 June 2019;
- Program 2: 19 June 2019 and is scheduled to conclude on 6 November 2019;
- Program 3: 10 July 2019 and is scheduled to conclude on 18 October 2019; and
- Program 4: Scheduled to commence 4 September 2019 and is scheduled to conclude on 6 November.

Since the commitment was made for 80% of North and South case managers to undertake the Cultural Development Program within their first year of employment with CYPS in November 2018, 11 new case managers have commenced and 9 (82%) of those are enrolled and have partially completed the program.

Of all current North and South case managers, team leaders and operations managers:
- 21% have completed the Cultural Development Program
- 57% have partially completed the Cultural Development Program
- 22% have yet to commence the Cultural Development Program

**ALLOCATIONS DATA JULY – AUGUST 2019**

In July 2019, fourteen Aboriginal and Torres Strait Islander families (23 children) required an appraisal:
- Eight families (57 percent) were allocated to a case manager who had completed the CYPS Cultural Development Program.
- Four families (29 percent) were allocated to a case manager who had commenced the CYPS Cultural Development Program. Of these, one case manager had completed a minimum of two of the agreed culturally responsive training programs¹ (as outlined above).
- Two families (14 percent) were allocated to case managers who had not completed the training. These case managers are now enrolled in the CYPS Cultural Development Program. One case manager has

¹ For the purposes of calculating ‘agreed culturally responsive training program’, the Finding Kin e-Learning, Family Group Conferencing e-Learning and After the Apology documentary have been excluded.
extensive experience of working with Aboriginal families and the other worked collaboratively with a mentor who had completed the CYPS Cultural Development Program.

In August 2019, 12 Aboriginal and Torres Strait Islander families (23 children) required an appraisal:

- Five families (42 per cent) were allocated to a case manager who had completed the CYPS Cultural Development Program.
- Seven families (58 per cent) were allocated to a case manager undertaking the CYPS Cultural Development Program. Each of these case managers had completed a minimum of two of the culturally responsive training programs (as outlined above).

**RECOMMENDATION 2 (AUGUST 2018)**

_That the ACT Community Services Directorate immediately engage SNAICC to train child protection workers on implementing the five Aboriginal and Torres Strait Islander Child Placement Principle (CPP) within their practice._

_The CPP is strongly supported by the Aboriginal and Torres Strait Islander community in the Act and we believe that engagement with SNAICC would deliver an uplift in understanding of context, history and the reasons for the Placement Principles. It would also demonstrate a willingness to work with Aboriginal led advocacy organisations._

**COMMUNITY SERVICES DIRECTORATE RESPONSE:**

**AGREED** - CYPS has discussed this recommendation with SNAICC and is seeking to engage them to undertake this training. Based on advice from SNAICC and their availability, this training will initially be targeted to the CYPS leadership group, including team leaders and will then become part of CYPS core training. It is expected that this training will commence in October/November 2018 and continue into 2019.

**STATUS: COMPLETED**

**WORKING WITH SNAICC**

On 1 March 2019, SNAICC was engaged by Children, Youth and Families to undertake training for CYPS staff in the effective implementation of the Aboriginal Torres Strait Islander Placement Principles. SNAICC provided a total of nine sessions with 124 participants attending over a period of four months. The success of this training was outlined in a report received by SNAICC dated 14 August 2019. The report by SNAICC summarised the training undertaken to date, their experience of working with CYPS staff and reflects positively on the progress made by CYPS since the training commenced.

Training of CYPS staff in the Aboriginal and Torres Strait Islander Child Placement Principles will now form part of the core training program for CYPS workers.
RECOMMENDATION 3 (AUGUST 2018)

That Child and Youth Protection Services (CYPS) immediately commence revision of policy and practices to ensure that the Aboriginal and Torres Strait Islanders Child Placement Principle are explicitly designed into policy and practice. Children must be valued in a process that holds cultural rights as central to their identity and safety.

We believe that this will hold children as central and valued within the child protection process and demonstrate closer alignment with the cultural rights as described in the ACT Human Rights Act 2004 (Section 27 (2)).

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED - To give immediate effect to this recommendation, CYPS is seeking to engage with an Aboriginal owned organisation to develop an Aboriginal and Torres Strait Islander Placement Principles Practice Guide for staff across the continuum of care in both child protection and youth justice. The Practice Guide would build on SNAICC’s Understanding and applying the Aboriginal and Torres Strait Islander Placement Principle: A resource for legislation, policy and program development and seek to give guidance to staff about its direct application in CYPS.

STATUS: IN PROGRESS

PRACTICE GUIDE

The design and publishing work on the Aboriginal and Torres Strait Islander Child Placement Principles Practice Guide for Child and Youth Protection Services staff has been finalised will be available to CYPS staff by the end of September 2019. The guide provides information about effectively embedding ‘active efforts’ for best practice casework under each element of the child placement principle. CYPS engaged an Aboriginal young person to design the artwork for the publication of the guide. A copy of the Practice Guide has been provided as an appendix to this report.

‘SAFETY IN THE POUCH’ ADVISORY COMMITTEE

In July 2019, the Aboriginal and Torres Strait Islander Senior Policy Officer established an advisory committee comprising of internal and external stakeholders. The ‘Safety in the Pouch’ advisory committee provides advice and feedback to the Child and Youth Protection Services in relation policy and resource development to support practice when working with Aboriginal and Torres Strait Islander children, youth, families and communities.

The advisory committee provides advice from a frontline service delivery perspective, and ensures the views are reflective of experiences of people in the community. The advisory committee includes representation from Aboriginal and Torres Strait Islander staff from child and family safety community sector organisations and relevant government agencies including: CYPS, ACT Together, Winnunga Health and Community Services, Gagan Gulwan, Red Cross, Justice and Community Safety Directorate, Aboriginal Legal Services and ACT Health. Additional stakeholders including OzChild and Child and Family Centres requested to be involved in the group and took part in the third meeting on 10 September 2019.
The advisory committee works together to:

- provide critical advice on matters relating to the improvement of CYPS outcomes for Aboriginal and Torres Strait Islander people;
- identify priority areas for action and develops strategies for pursuing positive outcomes;
- identify and respond to service delivery gaps or community issues and provides guidance to CYPS;
- establish working groups to progress initiatives developed by the ‘Safety in the Pouch’ advisory committee, as required; and
- provide feedback to the Aboriginal and Torres Strait Islander community on outcomes achieved from ‘Safety in the Pouch’ advisory committee when requested.

To date, three meetings have been held in July, August and September 2019. Topics discussed at the meetings to date include Aboriginal and Torres Strait Islander identification, revised Aboriginal and Torres Strait Islander Cultural Plans, Father Inclusive practice and reasonable adjustments for Aboriginal and Torres Strait Islander youth with disabilities. The next priority focus for the committee will be working with Aboriginal and Torres Strait Islander grandparents, working with Aboriginal and Torres Strait Islander kinship carers, placing an Aboriginal and/or Torres Strait Islander child in care, collective communities focus on child rearing and Family Group Conferencing. The Terms of Reference for the committee are provided as an appendix to this report.

As discussed at the 10 September 2019 Workshop on the Our Booris, Our Way Recommendations, the Safety in the Pouch Advisory Committee has a future work plan of priorities. Eight priorities are provided as an appendix to this report, with the further four currently in discussion and will be provided in the December 2019 Quarterly Report.

This advisory committee is supported by the Aboriginal and Torres Strait Islander Senior Policy Officer who commenced on 4 March 2019.

**RECOMMENDATION 4 (AUGUST 2018)**

*That the Directorate provide access and availability of family group conferencing as an essential step for all Aboriginal and Torres Strait Islander families engaging or entering the child protection system.*

*We note the initial results from the ACT pilot are promising. We also understand that Family Group Conferencing explicitly acknowledges the importance and breadth of Aboriginal and Torres Strait Islander family and community.*

**COMMUNITY SERVICES DIRECTORATE RESPONSE:**

**AGREED** - The ACT Government committed $1.44m funding over four years in the ACT Budget for the ongoing delivery of Family Group Conferencing, to ensure that Aboriginal and Torres Strait Islander families can be supported to make decisions to keep their children safe, strong and connected to their family and culture.

**STATUS: COMPLETE**
FAMILY GROUP CONFERENCING

Curijo continue to be engaged on an as needs basis for ‘in service’ training and supervision for Family Group Conferencing staff. Curijo have also been engaged to undertake Family Group Conferences when required to manage potential and actual conflicts of interest, or increased demand for Conferences are required.

Family Group Conferencing training was conducted by Curijo on 9 May, 3 June, 18 June, 23 September and 26 September 2018 and extended to all CYPS staff. Due to the updates within the Family Group Conference model that has occurred following the finalisation of the pilot program, the training was mandatory for all CYPS staff. An additional training session occurred on 23 September 2019 and an additional one is being scheduled prior to the end of 2019.

Family Group Conference practice guides, information sheets and pamphlets have been updated to reflect recent adjustments to changes within the Family Group Conference model. The updated information emphasises the importance of ensuring that family are a part of determining the ‘Children’s Needs for Safety’ alongside CYPS at the referral stage.

The Family Group Conferencing facilitators continue to be supported and mentored by staff from Curijo and cultural supervision is provided to the team by the Aboriginal and Torres Strait Islander Practice Leader position.

The introduction of the new Child and Youth Record Information System (CYRIS), will provide greater functionality for identifying families earlier for referral. Pre-referral and Referral is the initial stage of the Family Group Conference and is when CYPS staff identify safety and wellbeing concerns for a child or young person. CYPS staff investigate the concerns to ensure the safety of the child as well as assess and determine whether the family would be suitable for a Family Group Conference.

If a family is identified as suitable, the CYPS worker will contact the family to provide information about the Family Group Conferencing process and gain their approval to engage in the voluntary FGC process. Whilst there may be complex circumstances where a Family Group Conference would not be appropriate, the majority of families are suitable for Family Group Conferencing. Typically, a family would be considered suitable if:

- The child can remain at home with support from their family and community
- The child is unable to live at home
- Parents cannot care for their children for a period of time, which may include them attending drug rehabilitation, being incarcerated or for other reasons
- The parent/carer suffers from periodic mental illness
- Current care arrangements break down or the child self-places back with family
- A child needs care whilst court decisions are being made and alternate care arrangements for the child are required.

CYPS are also undertaking further policy work in relation to the Family Group Conferencing process in Prenatal matters, and following Emergency Action being taken and prior to a Planned Court application. This work will be reviewed and discussed at an upcoming Safety in the Pouch advisory committee meeting.

Since the commencement of the Family Group Conferencing Pilot in November 2017 to August 2019, 32 families have been involved in a Family Group Conference, involving 72 children. A total of 49 Aboriginal and Torres Strait Islander children have not subsequently entered care following a Family Group Conference. For the remaining 23 children, decisions about the best care arrangements, other than with birth families, have been made by the extended family.
FUNCTIONAL FAMILY THERAPY – CHILD WELFARE

The Functional Family Therapy Team Leader continues to co-locate with CYPS on a fortnightly basis to provide information about the program and to discuss referrals. Gugan Gulwan and OzChild commenced taking referrals at the end of 2018. As at 30 August 2019, the program was working with 24 families involving 68 children and young people. None of the families have withdrawn from the program and none of the children have subsequently entered care.

RECOMMENDATION 5 (DECEMBER 2018)

Ensure full intent of Aboriginal and Torres Strait Islander Child Placement Principle is reflected in the Children and Young People Act 2008.

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED: The CSD agrees to commence foundation work to determine how best to enact the Aboriginal and Torres Strait Islander Child Placement Principle in the Children and Young People Act 2008. CSD will commence scoping this work and will gain a better understanding of the extent of the work required to achieve the intent of this recommendation.

STATUS: IN PROGRESS

CSD is co-leading (with Queensland) national work to support the implementation of the Aboriginal and Torres Strait Islander Child Placement Principle across all states and territories. The ACT is co-sponsoring (with Queensland) the national Priority One Working Group under the Fourth Action Plan for the National Framework for Protecting Australia’s Children 2009-2020. This includes work to actively implement legislation, policy and/or practice to ensure compliance with the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle and to develop a nationally consistent approach to measuring the application of the five elements through data collection and reporting. The workplan for the Priority One Working Group was agreed by all jurisdictions at the Children and Families Secretaries (CAFS) meeting on 13 August 2019 and jurisdictions will now develop project plans to deliver on this national work.

CSD is in the process of discussing the policy parameters for the ACT to inform the legislative change required. Work has commenced in drafting an outline of the policy requirements to be detailed. Further work to describe the process to implement for external input into decision making will be undertaken with members of the Aboriginal and Torres Strait Islander community and potentially through the newly established Policy and Practice Co-Design Forum. It is expected to complete this work by the end of the third quarter of 2019-20 (i.e. by March 2020). This will then inform the legislative changes to be made.

RECOMMENDATION 6 (DECEMBER 2018)

Feasibility Study Aboriginal Child Care Association
COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED IN PRINCIPLE: The CSD is committed to increasing the number of Aboriginal and Torres Strait Islander Community Controlled Organisations providing human services across the ACT. To do this CSD has agreed to lead the policy work required to guide this process.

STATUS: IN PROGRESS

The feasibility study into establishing Aboriginal Community Controlled Organisations (ACCOs) focusing on children and young people is in place and the evidence and research indicates that it is feasible to establish additional ACCOs given the demand for services required to redress for the over representation of children and young people in care and the investment needed to build more services that support sustaining families together.

The feasibility study covers the following:

- Understanding the current demand and trends across the child protection system and out of home care by service type and model;
- Knowing the supply of services available to Aboriginal and Torres Strait Islander families across the continuum of support available to assist reducing the number of Aboriginal and Torres Strait Islander children and young people entering care;
- Examining the funding available with A Step Up for Our Kids to provide the appropriate care, and supports for Aboriginal and Torres Strait Islander children and young people to stay connected to culture and community; and
- Undertaking a cross jurisdictional review looking at different models of supporting the investment and expansion and development of an Aboriginal and Torres Strait Islander community-controlled services sector focusing on children and young people.

Based on the jurisdictional review, leading models of service are emerging from Queensland and Victoria where the government and ACCO peak bodies have experienced service delivery reforms in this area. Queensland and Victoria both have a long term strategy and an agreement respectively that commits government to generational change and embeds self-determination in decision making and policy and service design. Although the model of services are different across QLD and VIC both have value in informing the approach the ACT can take in supporting a strong Aboriginal and Torres Strait Islander community-controlled services sector critical to Aboriginal and Torres Strait Islander children and young people growing up safely in their families and communities.

In Queensland the ACCO peak body, Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSIPP), work collaboratively with governments in developing policy and sector reform in advocating the rights, safety and wellbeing of Aboriginal children, young people and families. QATSIPP also provides leadership in advocacy and policy development in partnership with government aimed at investing and strengthening the capacity and capability of the ACCO sector. This includes providing Practice Standards and Practice development to improve the direct practice skills of frontline staff working in Aboriginal and Torres Strait Islander community controlled child protection service to deliver child protection services across Queensland. This approach is also taken in NSW through the work of NSW Child, Family and Community Peak Aboriginal Corporation.

In Victoria, Government identified its commitments to partnership through the Wungurilwil Gapgapduir: Aboriginal Children and Families Agreement, overseen by the Aboriginal Children’s Forum, and through increasing investment in ACCO case management and the delegation of statutory child protection functions to
ACCOs. The Victorian Child Care Agency (VACCA) takes full responsibility of Aboriginal children on Children’s Courts orders under the Nugel Program.

The review is also highlighting what aspects of the system can be delivered by ACCO’s. This includes:

- Advocacy for the Aboriginal and Torres Strait Islander children, young people and families;
- Policy and practice guidance and support that could include:
  - Getting the best out of Cultural Care Planning for the child or young person to stay connected to community and culture;
  - Improving Quality and Case management practices; and
  - Implementing the first two elements of the Aboriginal and Torres Strait Islander Child Placement Principle with government and ACCOs working in partnership
- Monitoring and reviewing of service standards
- Co-Design Models of Family Support

The research is showing that it can take up to five years to establish a new and sustainable ACCO in this service sector. How many ACCOs are needed across the continuum of service for children and young people is still to be determined informed by the feasibility study. This will be part of the next phase of A Step Up for Our Kids however an emerging ACCO may require support by another provider for a time.

An option for consideration is to establish a peak organisation role similar to Queensland and New South Wales to guide and develop the new approaches and models required for a future service system that has a number and range of new ACCO’s to deliver services focussing on rights, safety and wellbeing of Aboriginal and Torres Strait Islander families.

The Office for Aboriginal and Torres Strait Islander Affairs is interested to attend the last Steering Committee meeting in December to present on the interim findings of the Feasibility Study.

**RECOMMENDATION 7 (DECEMBER 2018)**

Appoint an Aboriginal and Torres Strait Islander Children’s Commissioner with advocacy role and additional capacity to intervene and engage in child protection processes.

**JUSTICE AND COMMUNITY SAFETY RESPONSE:**

No further update from June 2019 report

**RECOMMENDATION 8 (a) (DECEMBER 2018)**

Culturally appropriate advocate service – the Steering Committee recommends that guidance be published and made immediately accessible to Aboriginal and Torres Strait Islander families engaged with the child protection system around the nature and role of support people as purposefully and deliberately engaged in meetings.
COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED: Work has commenced on recommendation 8(a), with a specific focus on developing guidance for staff working with Aboriginal and Torres Strait Islander families and the role of advocates and support people in child protection processes. Guidance has been distributed and reinforced verbally with staff. This work will continue to include building on the information that is already available in the ‘Working together for kids’ guides. The Aboriginal Policy Officer will lead this work in partnership with the Cultural Services team and community agencies.

STATUS: COMPLETE

GUIDANCE ON ROLES OF ADVOCATES

Advice has been circulated to all staff through the CYPS Messenger to confirm the important role that advocates play is supporting families working with CYPS. Consultation work is continuing and includes seeking advice through the ‘Safety in the Pouch’ advisory group to inform the information to be made available to better support Aboriginal and Torres Strait Islander families.

CYPS will look at avenues to support case managers to provide information to the Aboriginal and Torres Strait Islander Community on their rights relating to accessing support and advocacy services.

RECOMMENDATION 8 (b) (MAY 2019)

The Steering Committee recommends that funding be made available, as a matter of urgency, to professional legal and advocacy services that are culturally appropriate to ensure that Aboriginal and Torres Strait Islander families are able to access formal legal services.

JUSTICE AND COMMUNITY SAFETY DIRECTORATE RESPONSE:

No further update since June 2019 report

RECOMMENDATION 9 (DECEMBER 2018)

Early support programs available that provide positive support to families, early and during voluntary engagement with the child protection system. Current services are fragmented and difficult to access.

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED: The ACT Government, through the Early Support initiative has agreed to a new approach to partnerships and investment with the community sector to change the service system and enhance well-being and early support across health, education, justice and community services. This is a long-term shift that will be achieved over a ten-year period. More immediately we are enhancing early support capacity in the ACT through several implementation initiatives, through changes to contracts from 1 July 2019, and through the establishment of the Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum.
A key component of enabling self-determination for Aboriginal and Torres Strait Islander peoples is the establishment of the Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum, which will facilitate community-led solutions to policy and practice issues across the human services. We also intend that the implementation initiatives will use a try, test and learn methodology, and will look to embed a co-production approach to reinvestment in early support.

**STATUS: IN PROGRESS**

### EARLY SUPPORT INITIATIVE

Work has progressed to design four Implementation Initiatives which will enhance early support capacity in the system. These initiatives will enable service capacity and systemic changes that will support the collective goal to divert Aboriginal and Torres Strait Islander children and families from tertiary services.

**Child Protection Diversion for Aboriginal and Torres Strait Islander families**

CSD is working within existing resources to develop policy and service delivery responses focused on keeping Aboriginal and Torres Strait Islander children safe at home and out of the child protection system. Proposals for intensive family support are to be tested and further developed with community members. CSD is collaborating with a Network of Aboriginal and Torres Strait Islander community members with lived expertise of the service system and community agencies to scope opportunities. CSD is also working to secure additional resources to establish and implement new models for family support.

**Sustained Nurse Home Visiting**

Canberra Health Services is leading a Sustained Nurse Home Visiting trial, in the context of a re-design of their Early Family Support Initiatives. Initial design work has identified the need for a multidisciplinary focus, as well as opportunities for early practice changes.

**Early Support Education Initiative**

Early scoping work is underway for an Education led Initiative that supports strong communities of learning and enhance well-being supports.

**A Justice and Community Safety (JACS) led initiative**

Early scoping work is underway to enable policy and practice changes to support working with Alexander Maconochie Centre (AMC) detainees in the context of their families. Initial planning for this work has identified the need to enhance data collection to support this change.

### CO-DESIGN FORUM

Building on feedback from the Our Booris, Our Way Steering Committee, CSD hosted a stand-alone workshop on 2 October 2019 to further detail the ACT’s policy position that it is not appropriate to support adoption for Aboriginal and Torres Strait Islander children and young people in the ACT. The policy position was jointly developed by diverse representatives from the Aboriginal and Torres Strait Islander community and the ACT Government. The workshop confirmed that there are no exceptional circumstances under which adoption should progress as a permanency option for Aboriginal and Torres Strait Islander children and young people. It also identified a range of practice changes which will be further tested and implemented.

Learnings form the workshop will inform the establishment of the Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum, a key mechanism to enable community-led solutions to human services issues.
Further work to establish the Forum will include shaping its design, scope, consensus building processes, and Terms of Reference. Government has agreed to accept and implement policy and practice changes identified through the Forum. Core membership will include expertise from across the Aboriginal and Torres Strait Islander community, including representatives of the United Ngunnawal Elders Council, the Aboriginal and Torres Strait Islander Elected Body, Aboriginal Community Controlled Organisations, and community members with lived experience of the service system.

RECOMMENDATION 10(a) (MAY 2019)

The Steering Committee recommends that the Directorate be more direct and transparent with supports that are available for Aboriginal and Torres Strait Islander kinship carers. We recommend that the Directorate design and communicate a simple, accessible and equitable process by which kinship carers can access or apply for supports with a mechanism to dispute the findings and have circumstances re-evaluated. This process must be designed with the community to ensure that the processes do not unnecessarily compound the difficulties and trauma experienced by kinship carers.

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED: CYPS agrees to commence work on the development of specific information to be provided when a child enters kinship care to complement information already available through the ‘Working together for kids’ guides and the Carer Handbook. This information will provide clear information about carer subsidies, Therapeutic Assessments, support services and advice about how they can access these supports and will be focused on what kinship carers may immediately need to know when a child enters their care.

STATUS: IN PROGRESS

INFORMATION FOR KINSHIP CARERS

CYPS work continues to ensure a cultural lens is applied to the updating of CYPS policies and procedures. The development of an information sheet for CYPS staff on ‘Engaging with Aboriginal and Torres Strait Islander Grandparents’ will assist to ensure staff are equipped to better identify and support the needs and contributions of grandparent kinship carers in our community. At this stage, the information sheet is in the early phase of development and will be further developed in the coming months. CYPS will also identify additional information sheets for kinship carers which may be useful that provide details on where kinship carers get support and they type of support available. This will include the process to dispute findings and have circumstances re-evaluated.

RECOMMENDATION 10(b)(i) & (ii) (MAY 2019)

10 (b) (i) The Steering Committee recommends that the Aboriginal and Torres Strait Islander children be placed in Aboriginal and Torres Strait Islander kinship care immediately upon removal rather than
being moved to foster care while carer checks are conducted when stable family options for care are present.

10 (b) (ii) The Steering Committee recommends that the process of applying and performing suitability assessment of Aboriginal and Torres Strait Islander kinship carers (Kinship Carer Assessments) is a transparent and timely process and that additional resources be applied to ensure that these are not delayed.

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREE WITH INTENT: CYPS is committed to placement of all children with kinship carers in accordance with the Aboriginal and Torres Strait Islander Child Placement Principle, where it is safe to do so. CSD recognises the benefits for children being placed with family including:

- reduced trauma / anxiety relating to the unknown for the child and their family;
- the carer’s greater potential for a lifelong commitment to the child;
- the capacity of carers to maintain family connections, community and cultural connections; and
- enhanced capacity for supporting the development of a child’s identity.

CYPS will reinforce the existing policy that enables a kinship placement to occur on an unplanned basis (such as after Emergency Action) through support from the Cultural Services Team. The Cultural Services team will assist in exploring all potential care options from within the child’s extended family before placement with unrelated carers, or as soon as practicable afterwards. The reinforcement of existing policy is occurring through the development of the Practice Guide embedding the Aboriginal and Torres Strait Islander Child Placement Principle into CYPS case management practice and extensive training that was provided by the Secretariat of National Aboriginal and Islander Child Care (SNAICC).

In addition, CSD will commence the development of a Family Finding model for Aboriginal and Torres Strait Islander children in order to assist case managers with the early identification of kin. The capacity of CYPS to do this effectively will be enhanced by the introduction of the CYPS client information system (known as CYRIS) to go live on 1 October 2019. CYRIS has advanced family and genealogical mapping capability that will support the early identification of kin. CYPS will explore approaches taken in other jurisdictions during the development of the model.

STATUS: IN PROGRESS

CYPS POLICY TO CASE MANAGEMENT PRACTICE

Since the last quarter, CYPS have reviewed a number of policies and procedures with assistance from the Cultural Services Team to ensure the embedding of Aboriginal and Torres Strait Islander Child Placement Principles with CYPS practice. This has included the development of the Practice Guide embedding the Aboriginal and Torres Strait Islander Child Placement Principle which was specifically designed to reinforce the Placement Principles to CYPS staff (refer to recommendation 3). SNAICC training also continues to remain a key focus with strong staff attendance at each session.

CYPS recognises and acknowledges the importance of ensuring that CYPS intervention into a family’s life does not disconnect a child or young person from their family or their culture.
CSD is looking to develop policy specific to kinship care, noting the difference between kinship and foster care. This will include a rationale for streamlining assessment and support packages as well as regulatory requirements such as Reportable Conduct and Working with Vulnerable People checks.

FINDING KIN PROJECT

A Finding Family model for Aboriginal and Torres Strait Islander children has been approved by the Business Improvement Executive Committee. The first stage of the project known as the Finding Kin Project was to develop an e-Learning module for all CYPS case managers. The CYPS policy area are ensuring that the policy and procedures are consistent with SNAICC placement principles.

In addition to the Finding Family Project, CYRIS is scheduled for release on 1 October 2019 and will further support family and genealogical mapping to assist with early identification of kin.

The draft Finding Family Project aligns to the central beliefs of a Family Finding Model designed in the US and being used world wide:

- All children have family members who can be found if we try.
- Children have a right to know the whereabouts and well-being of family members.
- A sense of identity, belonging and being loved unconditionally are essential to a child’s health, development and dignity.
- Connection is a prerequisite to healing.
- Successful support for traumatised children relies on respectful, collaborative engagement with family members.
- Parents and families generally want the best for their children and need connections and supports to be able to provide adequate care for them.

Further work is to be undertaken to formalise any agreements with the registered owner of the model.

RECOMMENDATION 11(a) & (b) (MAY 2019)

11 (a) The Steering Committee recommends that the Directorate adopt a highly consultative approach to the development of cultural plans in line with the participation, partnership and connection elements of the Aboriginal and Torres Strait Islander Child Placement Principle. This will drive an improvement in the quality and relevance of cultural plans to children’s cultural needs.

11 (b) The Steering Committee recommends the Directorate seek support and guidance on leading practice in the development, monitoring and quality of cultural plans from local community-controlled organisations and from other jurisdictions who lead in this, for example the Victorian Aboriginal Child Care Agency (VACCA).

COMMUNITY SERVICES DIRECTORATE RESPONSE:

AGREED: CYPS requires that all Aboriginal and Torres Strait Islander children in an out of home care placement have a cultural plan to ensure that a child’s identity is preserved by facilitating and maintaining their connection to family, including extended kinship networks and community; and to support a child to remain
connected to their culture, including but not limited to language, cultural values, lore, beliefs and practices, Country, totem, history and stories, symbolic and cultural expressions and events.

**STATUS: IN PROGRESS**

**CULTURAL PLAN**

A revised CYPS Aboriginal and Torres Strait Islander Cultural Plan has been developed and is in final stages of design. The plan has been informed by broad consultation including Victorian Aboriginal Child Care Agency and input from members of the Safety In the Pouch advisory committee, including ACT Together who provide support to the majority of children in out of home care. The plan has a strong emphasis on consultation with the child or young person and aligns with the participation, partnership and connection elements of the Aboriginal and Torres Strait Islander Child Placement Principle Practice Guide as identified at Recommendation 3.

A step by step procedure to support staff to develop and maintain a cultural plan is now being progressed to compliment the Cultural Plan.

Work is also underway to explore the best mechanism to support how Cultural Plans are developed and monitored. Current considerations are the development of cultural panel to monitor the quality and implementation of plans and provide culturally specific advice to better support case managers.

**RECOMMENDATION 12 (MAY 2019)**

> The Steering Committee recommends that prompts and triggers to considering restoration are mapped and implemented, especially when there has been a positive change in parenting capacity. Restoration needs to use a strengths-based, motivational approach and should consider restoration to family, not just to parents.

**COMMUNITY SERVICES DIRECTORATE RESPONSE:**

**AGREE WITH INTENT:** A Step Up for Our Kids vision is “Children and young people in care – growing up strong, safe and connected.” The strategy is focused on keeping children and young people at home where it is safe to do so, or in restoring children to family as soon as it is safe. For children who are unable to stay at home or return home, stability in care arrangements become a priority with kinship care being prioritised over non-family carers of the child. Through the development of the second stage of A Step Up for Our Kids we will look at the Annual Review process including consideration of positive change in parenting capacity and the potential for reunification and family reconnection.

**STATUS: IN PROGRESS**

**CURRENT WORK**

CYPs has invested in intensive restoration and preservation services to support this intent of the strategy, including the Uniting Children and Families program, Functional Family Therapy – Child Welfare (provided by Gugan Gulwan and Oz Child) and Karinya House, Mothers and Babies Home.
CYPS developed the Restoration Panel in October 2018 to ensure effective planning for restoration occurs in a timely manner. In addition, restoration is a key element of the Family Group Conferencing Program with family-led decision making at the centre of placement decisions.

The Restoration Panel reviews case management to ensure effective planning for restoration has taken place. This includes a review of:

- support provided to the parent/s to achieve positive change in order to meet the child’s needs for safety;
- the development and progress of clear case management goals;
- the implementation of timely decision making;
- identifying family and other members of the parent/s network who can support the restoration process; and
- progress towards achieving the optimum conditions for the child to be restored to a safe and nurturing home environment.

In developing the Finding Family model, referred to in response to Recommendation 10(b), CYPS will ensure that this includes a focus on placing with kin immediately upon a placement being required, including when a long-term placement is no longer stable.

**IN DEVELOPMENT**

Other priorities for the Restoration Panel include finding family, parallel planning and ensuring permanency for children in care. Parallel planning should commence as soon as possible following a child entering care. This will include working with a child’s network to identify family members who can potentially provide a kinship care placement. The Restoration Panel will ensure all kinship options have been explored and assessed and provide guidance to identify the best long-term placement for a child. Emphasis on parallel planning means that if restoration is not possible, the child’s transition to permanency will be prompt and avoid unnecessary time in non-family based care.

The Terms of Reference have been provided as an appendix to this report.

**RECOMMENDATION 13 (MAY 2019)**

The Steering Committee recommends that CSD engage with Aboriginal community leadership to develop an improved policy position, practice guides and training that includes fathers throughout the child protection processes and makes concrete efforts to engage and maintain engagement with fathers who are incarcerated.

**COMMUNITY SERVICES DIRECTORATE RESPONSE:**

**AGREED:** CYPS has commenced a project to embed the Aboriginal and Torres Strait Islander Child Placement Principle in policy and procedure. This is being undertaken by the Aboriginal and Torres Strait Islander policy officer and commenced after receiving the Interim report.

**STATUS: IN PROGRESS**
The development of a Father Inclusive practice guide is progressing. To date, research on best practice about engagement with Aboriginal and Torres Strait Islander fathers, and consultation with the ‘Safety in the Pouch’ advisory committee has been undertaken. Work is now underway to bring together the information to develop the guide to support practice, once developed the practice guide will undergo further consultation by the Safety in the Pouch’ advisory committee. It is anticipated this work will be finalised by the end of 2019.

RECOMMENDATION 14 (MAY 2019)

_The Steering Committee recommends that all Aboriginal and Torres Strait Islander children have the appropriate Health Assessment annually to ensure they receive the appropriate preventative and primary health services in the ACT. This should be included as an essential process within the Annual Review process._

CANBERRA HEALTH SERVICES RESPONSE:

Canberra Health Services (CHS) notes that current practice identifies that all children in a care placement must have an initial health and wellbeing screen (health assessment) with an approved health care provider. The purpose of the assessment is to provide a base line evaluation to determine immediate concerns and subsequent health referrals. The health assessments are conducted by an approved health care provider relevant to the child’s age, development and care placement.

The Child at Risk Health Unit (CARHU) is a key provider of this baseline health and wellbeing assessment for children and young people (up to the age 14) who are entering out of home care, including Aboriginal and Torres Strait Islander children and young people. This assessment is guided by the National Clinical Assessment Framework and the National Standards for Child and Family Health. Following this assessment, referral to additional services within and external to the CHS occurs where clinically indicated.

CSD will also work with ACT Together to promote and embed the utilisation of Health Assessments available under Medical Benefit Scheme (MBS) Item 715. This MBS item is intended to help ensure that Aboriginal and Torres Strait Islander people receive primary health care matched to their needs, checking health and physical, psychological and social functions and deciding if preventive health care and education should be offered to the patient to improve their health and wellbeing. Work will be undertaken to promote the availability of this MBS item to carers and caseworks. Further work will also be undertaken to consider how the utilisation of the Health Assessment can be reported through the Annual Review for Aboriginal and Torres Strait Islander children and young people.

STATUS: IN PROGRESS

CSD is preparing to initiate a project to review policies and procedures i.e. Health Passports, Annual Review Reports to ensure that they include information regarding annual health checks for Aboriginal and Torres Strait Islander children and young people.

As part of this work, CSD will be developing a fact sheet in partnership with ACT Together and will send it out to all carers caring for an Aboriginal child to ensure they understand that the annual health assessment is
available and encouraging them to access it. This will also be incorporated into the next version of the carer handbook.