

PROGRESS REPORT INITIAL RECOMMENDATIONS

OUR BOORIS, OUR WAY REVIEW

NOVEMBER 2018



ACT
Government

Community Services

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 overrepresentation of Aboriginal and Torres Strait Islander children in the child protection system within 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 in September 2019. The Review methodology is iterative, meaning the Steering Committee will provide recommendations to Directorates and the Government throughout the review period.

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

- Cultural proficiency of Child and Youth Protection Service staff;
- Implementation of the Aboriginal and Torres Strait Islander Child Placement Principles within policy and practice; and
- Access to Family Group Conferencing for all Aboriginal and Torres Strait Islander families in the statutory system.

All four initial recommendations were agreed to by the Community Services Directorate.

This report outlines progress against actions agreed to by Community Services Directorate in response to the initial recommendations up to 29 November 2018.

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RECOMMENDATION 1

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 – The Community Services Directorate is committed to increasing the cultural proficiency of all staff within the Directorate, and in particular in Child and Youth Protection Services. Child and Youth Protection Services 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 Child and Youth Protection Services structure.

STATUS: IN PROGRESS

ALLOCATION PROCESS

Child and Youth Protection Services (CYPS) has developed a process that facilitates priority allocation of Aboriginal and Torres Strait Islander families where possible to CYPS staff who have completed the CYPS Cultural Development Program.

A list of the current CYPS staff who have completed the training has been provided to Senior Management for consideration when allocating cases. The list will be updated following the completion of each course and redistributed.

Child and Youth Protection Services has also implemented processes to ensure that all Child Protection Reports for Aboriginal and Torres Strait Islander children rated for appraisal are notified to the Cultural Services Team. Currently the exchange of this information is manual, however the new CYPS Client Management System (known as CYRIS) will automate this process. It is expected that implementation of the new system will commence in February 2019.

CULTURAL DEVELOPMENT PROGRAM

Child and Youth Protection Services continue to support staff to undertake the CYPS *Cultural Development Program*. The *Cultural Development Program* is core training combining face to face activities and utilising an online training program developed by the Australian Institute for Aboriginal and Torres Strait Islander Studies. The *Cultural Development Program* is designed to provide staff with an understanding of Aboriginal and Torres Strait Islander cultures, and has a strong focus on collaboration and the establishment of positive working relationships.

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

The program is run over a three month period. Participants engage in a range of face to face activities including:

- A half day on Ngunnawal Country with interpretation of cultural sites of significance, storytelling, bush plants and their uses;
- Viewing of the Kanyini Documentary and Babakieuria “A Current Affair Racism” video clip. Bob Randall tells the history of Australia’s Indigenous people. He 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; and
- A visit to Australian Institute of Aboriginal and Torres Strait Islander Studies in order to explore their resources. The visit specifically looks at archives of images and the language of the time related to the history of child removals.

Child and Youth Protection Services commit to establishing a target of 80% of North and South Team case managers undertaking the *Cultural Development Program* within their first year of employment with Child and Youth Protection Services.

In order to progress towards this target, Child and Youth Protection Services have created a designated Aboriginal and Torres Strait Islander Training position to support the future development of the *Cultural Development Program* and its ongoing implementation. It is anticipated that this dedicated Aboriginal and Torres Strait Islander Training Officer will be advertised by mid December 2018. In addition to advertising on the jobs.act.gov.au website, the position will also be advertised in the Koori Mail, atsijobs.com.au, ACT Indigenous Network Group on Yahoo, Prime Minister and Cabinet Aboriginal and Torres Strait Islander Network, and the Indigenous Australian Public Service Network. Once recruited this position will be responsible for evaluating and reviewing the *Cultural Development Program* and will also deliver up to six Cultural Development Programs over the course of 2019.

CYPS CULTURAL SERVICES TEAM

The Cultural Services Team within Child and Youth Protection Services provide staff with support and advice when working with Aboriginal and Torres Strait children, young people and families. The Cultural Services Team also provide assistance in engaging with other community agencies.

The Cultural Services Team is a crucial part of Child and Youth Protection Services, offering a variety of support including:

- Engagement with pregnant women and families, to prevent children’s entry into the child protection system;
- Assistance to young people on youth justice orders, including assisting young people to access knowledge of their family and culture, and linking young people with mentoring and support where agreed;
- Kinship carer support and assessment;
- Advice to case managers regarding placement decisions;
- Cultural input into case management, including therapeutic planning and family contact arrangements; and
- Support to case managers to engage with families.

An information sheet on the roles and support provided by the Cultural Services Team is currently under development. Once developed this will be available on the Community Services Directorate website and provided to Aboriginal and Torres Strait Islander families involved with CYPS.

CYPS will continue to build cultural capability in our North and South Teams through recruitment of Aboriginal and Torres Strait Islander staff. In an effort to support this, CYPS has presented options to the relevant Unions in the current Enterprise Bargaining process that will seek to remove existing qualification barriers to employment for Aboriginal and Torres Strait Islander staff, instead focusing on skills, experience and community relationships.

ABORIGINAL AND TORRES STRAIT ISLANDER PRACTICE LEADER

A Practice Leader is an enabling role that operates at both a strategic and operational level. The role allows for the identification of best practice and opportunities for improvement in practice and policy. To maintain a focus on culturally competent practice CYPS has created an Aboriginal and Torres Strait Islander Practice Leader role. This Practice Leader will have a key role in supporting the embedding of the SNAICC Aboriginal and Torres Strait Islander Placement Principles into practice and contributing to the implementation of other recommendations relevant to the *Our Booris, Our Way* Review.

The role of the Aboriginal and Torres Strait Islander Practice Leader has been developed and will be advertised by mid December 2018. In addition to advertising on the jobs.act.gov.au website, the position will also be advertised in the Koori Mail, atsijobs.com.au, ACT Indigenous Network Group on Yahoo, Prime Minister and Cabinet Aboriginal and Torres Strait Islander Network, and the Indigenous Australian Public Service Network.

COMMUNITY SERVICES DIRECTORATE STRATEGIC PLAN 2018-2028

In July 2018 the *Community Services Directorate Strategic Plan 2018-2028* was launched, an ambitious 10-year plan that sets a long term direction for the organisation. It identifies our purpose, outcomes and key measures of success. The plan was developed by our staff, through an extensive and collaborative engagement process with over 80% staff participation, and is collectively owned by them.

The Community Services Directorate is actively committed to celebrating the significant cultural heritage of our traditional owners and improving the outcomes of First Peoples in the ACT in all the work we do. The *Strategic Plan* strives to ensure that Aboriginal and Torres Strait Islander peoples have a strong voice, are decision makers on issues that impact them and lead in the achievement of positive life outcomes.

The Community Services Directorate is the first Directorate to include a Cultural Integrity Statement in its Strategic Plan. The Cultural Integrity Statement outlines our commitment to work respectfully with Aboriginal and Torres Strait Islander Canberrans and continue to improve services to meet their needs. The Cultural Integrity Statement also includes a commitment to cultural proficiency across the Directorate, stating:

Commitment to cultural proficiency — continuously improving and embedding understanding of Aboriginal and Torres Strait Islander culture in the workplace will lead to the development of culturally-proficient policies, and culturally-safe work spaces and services. As a key action, core cultural competency training will be reviewed regularly by Aboriginal and Torres Strait Islander people for accuracy and relevance, to recognise contemporary issues and cultural growth.

The Community Services Directorate continues to encourage staff to explore our history. The Reconciliation theme of *Don't Keep History a Mystery* is one the Community Services Directorate will continue to focus on.

Developing knowledge and understanding of our shared history helps us to make all to make informed decisions and strengthens the work being progressed across the Community Services Directorate.

As first steps towards this directorate wide commitment to cultural proficiency, the Community Services Directorate has:

- Engaged Associate Professor Richard Frankland to provide Cultural Safety Masterclasses to Community Services Directorate staff;
- Commissioned three screenings of *After the Apology*, with the screenings held in July, August and September 2018;
- Made the online training program developed by the Australian Institute for Aboriginal and Torres Strait Islander Studies available for all Community Services Directorate staff; and
- Provided access to the documentary *Lousy Little Sixpence*.

CULTURAL SAFETY MASTERCLASS

The Community Services Directorate recently engaged Associate Professor Richard Frankland to deliver Cultural Safety Masterclasses to approximately 300 staff. A total of 12 Masterclass sessions were delivered over six days.

Each Masterclass session commenced with an introduction to cross cultural awareness, involving general discussion and insight into pre-contact, contact and post-contact Aboriginal and Torres Strait Islander Australia. The Masterclass then moved on to examine issues of cultural safety, cultural loads and cultural foundations. Feedback from the Masterclasses highlighted that they provide an excellent opportunity to deepen our working understanding of Aboriginal and Torres Strait Islander Culture and contemporary issues.

AFTER THE APOLOGY FILM

The Community Services Directorate arranged for the private screenings of the Larissa Behrendt documentary (2017), 'After the Apology'. There was an overwhelmingly positive response from over 500 colleagues who attended the screenings across three sessions (July, August and September 2018).

The film follows the journey of four Aboriginal grandmothers challenging government policy to bring their grandchildren home. Many staff found this powerful film confronting, however were able to join together and take time out to pause and reflect on past and current practices and to consider how we can move towards culturally safe practices that continue to improve the way we serve our community.

AUSTRALIAN INSTITUTE FOR ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES ONLINE TRAINING PROGRAM

The Community Services Directorate has made the online training program developed by the Australian Institute for Aboriginal and Torres Strait Islander Studies available for all Community Services Directorate staff. There are 10 modules.

The introductory session hears from Mr Craig Ritchie CEO of the Australian Institute for Aboriginal and Torres Strait Islander Studies, and Ms Kerrie Tim, Chief of Staff in the Office of the Minister of Indigenous Affairs. The online training program seeks to set the foundation for continual learning.

Module 1 - gives you the opportunity to reflect on the notion of culture and how your own cultural influences impact how you think and behave toward others. It is a critical first step towards (re)thinking about how to engage with Aboriginal and Torres Strait Islander peoples and peoples from other diverse cultural backgrounds.

Module 2 - is an introduction to Aboriginal and Torres Strait Islander cultures and worldviews. It provides you with key statistical information, explains the central importance of 'Country' and introduces the fundamental elements of Aboriginal and Torres Strait Islander laws and societies.

Module 3 - explores how events and policies in the past have shaped the identities and experiences of Aboriginal and Torres Strait Islander peoples today. The module looks at Aboriginal and Torres Strait Islander activism; the 'rights' movement and campaigns waged by the key organisations in the lead up to the establishment of the Commonwealth Department of Aboriginal Affairs in 1972.

Module 4 - provides an overview of the complex world of Aboriginal and Torres Strait Islander Affairs; examines some of the key policy approaches of governments since 1972; and explores how the numerous changes have, over time, led to current policy frameworks and administrative arrangements.

Module 5 - gives you an insight into the unique attributes of the thousands of Aboriginal and Torres Strait Islander community organisations, collectively known as the 'community-controlled' sector. It explores the vital role these organisations play in areas such as health, housing, education, youth, employment and justice and explains the benefits of working more effectively in partnership with them to drive positive change in Aboriginal and Torres Strait Islander communities.

Module 6 - explores Aboriginal and Torres Strait Islander rights, particularly those relating to land and native title and explains how Australian laws and policies have evolved to recognise and protect Aboriginal and Torres Strait Islander peoples' traditional connect to Country.

Module 7 - examines 'self-determination'; what it means to Aboriginal and Torres Strait Islander peoples and the ways in which it is expressed - from personal every-day acts to formal agreements with governments. The Module also explores the relationship between self-determination, development and economic participation and prosperity.

Module 8 - focuses on the important role Commonwealth employees have in engaging with communities and provides tips and suggestions to assist you to develop the capacity to engage effectively with Aboriginal and Torres Strait Islander peoples to achieve sustainable outcomes

Module 9 - celebrates the historical and contemporary contributions of Aboriginal and Torres Strait Islander peoples to Australian society and provides an insight into how these contributions have played (and continue to play) a valuable role in shaping our national identity.

Module 10 - provides you with a conceptual framework and some useful tools to enable you to continue your cultural learning journey, by embedding the values of diversity and cultural learning into your professional development and workplace culture.

'LOUSY LITTLE SIXPENCE' DOCUMENTARY

To assist in continuing our exploration of our shared history, the Director-General arranged access to the documentary '*Lousy Little Sixpence*' for all staff. This 1983 documentary details the early years of the Stolen Generations and the struggle of Aboriginal Australians against the Aboriginal Protection Board in the 1930's. Through old newsreels, archive film, photographs and interviews with Elders, the film weaves a moving account of a hidden history and the early struggle for Aboriginal land rights and self-determination.

The documentary has been available to all staff since October 2018 and will remain open for staff to access until 31 January 2019.

RECOMMENDATION 2

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 PRINCIPLES (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 – Child and Youth Protection Services have 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 Child and Youth Protection Services leadership group, including Team Leaders and will then become part of Child and Youth Protection Services core training. It is expected that this training will commence in October/November 2018 and continue into 2019.

STATUS: IN PROGRESS

WORKING WITH SNAICC

SNAICC called for Expressions of Interest from States and Territories to work with them on resources to assist the effective implementation of the Aboriginal and Torres Strait Islander Child Placement Principle. The ACT was chosen as one of three States and Territories to participate in this work.

Meetings occurred with Mr Kim Sedick, CEO, and Mr John Burton, Social Policy and Research Manager, SNAICC regarding working together to embed the SNAICC Child Placement Principles within practice in CYPS, in two ways:

- As one of three states and territories undertaking the project referred to above; and
- Through the provision of training to CYPS staff.

As part of the project, SNAICC have delivered a two day seminar on embedding the SNAICC placement principles on 21 and 22 November 2018. Staff attending this seminar included Senior Practitioners, Principal Practitioners, Cultural Services team, CYPS leadership group, policy staff, ACT Together representatives, Uniting representatives and members of the *Our Booris, Our Way* review team.

The two day seminar focused on:

- An introduction to the six practice areas within the SNAICC Child Placement Principles – (Identification, Prevention, Partnership, Placement, Participation, Connection)
- Identification of what is already being done in each practice area
- Identification of what more can be done in each practice area
- Link to the SNAICC resource (being developed as part of the seminar)
- Identify what needs to occur to support implementation
- Exploration of challenges and opportunities to implementation
- Solutions and next steps to implementation of the Child Placement Principles within policy and practice.

Following this two day seminar, SNAICC will provide a proposal to CYPS for Team Leader training, followed by training for all staff, to occur during 2019. This approach will enable SNAICC to tailor the provision of training to CYPS, building on the work that occurs through the seminar in November. These workshops will also assist the development of the Practice Guide for CYPS staff being undertaken by Curijo (See Recommendation 3).

RECOMMENDATION 3

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 PRINCIPLES 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).

COMMUNITY SERVICES DIRECTORATE RESPONSE:

Agreed – To give immediate effect to this recommendation, Child and Youth Protection Services 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 Child and Youth Protection Services.

STATUS: IN PROGRESS

PRACTICE GUIDE

Child and Youth Protection Services have engaged Curijo Pty Ltd, an Aboriginal owned organisation certified with Supply Nation to commence development of a *SNAICC Placement Principles Practice Guide*.

Curijo staff developing the *Practice Guide* attended the SNAICC seminar outlined in Recommendation 2 prior to undertaking workshops, consultations and drafting of the *Practice Guide* to ensure consistency with SNAICC policies, procedures and resources.

To inform the development of the *Practice Guide*, Curijo staff are undertaking six workshops in December 2018 including a workshop with community organisations and a workshop with the *Our Booris, Our Way Review* Team to ensure that the *Practice Guide* is informed by the work the Review Team.

A workshop for Aboriginal and Torres Strait Islander community organisations is scheduled for 3 December 2018. Three workshops for CYPS staff have been scheduled for 4, 5 and 12 December 2018. A workshop for ACT Together and other community organisations that work closely with CYPS is scheduled for 10 December 2018. Finally, workshops for the Cultural Services Team and the *Our Booris, Our Way Review* Team are scheduled for 13 December 2018.

In order to give full effect to the recommendation, Child and Youth Protection Services will work to imbed the Aboriginal and Torres Strait Islander Placement Principles in its 1200+ policies and procedure documents. To achieve this outcome an Aboriginal and Torres Strait Islander policy position has been created and will be advertised by mid December 2018. This position will work within the operational policy team.

RECOMMENDATION 4

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 PILOT WHICH ARE PROMISING AND ALSO UNDERSTAND THE SUCCESS OF THE NSW SYSTEM AND BELIEVE 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: IN PROGRESS

FAMILY GROUP CONFERENCING

From the beginning of the Family Group Conferencing trial (November 2017) to 19 November 2018, 21 families have been involved in a family group conference, involving 48 children. That is, 21 families making decisions about how to keep their children safe. Of these, 31 Aboriginal and Torres Strait Islander children have not subsequently entered care or have been restored following a Family Group Conference.

Two families involved in a Family Group Conference (involving four children) have seen a child enter care subsequent to the conference. Those children however have been placed with kin identified through the conference process, in accordance with the family plan. Three conferences (involving seven children) were undertaken to identify supports to increase contact with the mother and enhancing the children's cultural connection to family and community. Two conferences (involving seven children) have been undertaken with a focus to develop a plan for restoration.

The funding received in the 2018-19 ACT Government budget will enable the ongoing delivery of the Family Group Conferencing program and will enable Child and Youth Protection Services the opportunity to permanently employ two dedicated Family Group Conferencing facilitators. In addition to these two positions, CYPS has provided training and support to additional staff within the Cultural Services Team to ensure that all families who wish to take part in a Family Group Conference are afforded the opportunity.

The positions were advertised for permanent appointment and applications closed on 22 November 2018.

FUNCTIONAL FAMILY THERAPY – CHILD WELFARE

In addition to Family Group Conferencing, CYPS has engaged Gugan Gulwan Youth Aboriginal Corporation, in partnership with OzChild to commence a trial of Functional Family Therapy – Child Welfare (FFT-CW) in the ACT. This trial will complement the work currently being undertaken for Aboriginal Torres Strait Islander children, young people and families under the *A Step Up for Our Kids* Strategy.

The FFT-CW aims to strengthen support arrangements to ensure the best possible outcomes are achieved for children and young people, including education and health needs. FFT-CW specifically targets families with children and young people aged 0-17 who are facing vulnerable times in their lives and are at risk of entering the out of home care system. Doug Copp, CEO Functional Family Therapy, travelled to Australia and presented to CYPS Leadership and staff on 17 October 2018 about the programs implementation within the ACT.

Gugan Gulwan and Oz Child commenced taking referrals from 8 November 2018. Six families have already been accepted into the program.

Work has commenced on establishing a process to ensure that all Aboriginal and Torres Strait Islander families allocated for appraisal are actively considered for either Family Group Conferencing or FFT-CW, or both where it is appropriate. There may be times of course where other referrals are more appropriate to the circumstances of the family, such as a referral to Karinya House, Gugan Gulwan or Uniting preservation or restoration programs, however there will be active consideration of all families for these two specific programs.

Referrals to programs are voluntary and the families are provided with detailed information in order to make an informed decision on involvement.