

2024

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TENTH ASSEMBLY

**Our Booris, Our Way Review - Six-Monthly Implementation Update
– July to December 2023**

**Presented by
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Minister for Children, Youth and Family Services
May 2024**

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Our Booris Our Way Review

Six-monthly Update

July-December 2023



ACT
Government

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ACKNOWLEDGEMENT

The ACT Government acknowledges the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

The ACT government would also like to acknowledge the value of traditional parenting practices and communal culture in child rearing. In particular, grandparents, aunts, and uncles hold a significant and respected position in families and play a vital role in the development of a child or young person's sense of identity, belonging and culture.

We believe that the experience of Aboriginal and Torres Strait Islander culture is a strength and protective factor in our work with families. We also understand that for thousands of years, Aboriginal and Torres Strait Islander parents, families and communities have provided safe, strong, and loving care for their children, based on cultural wisdom, shared knowledge and traditions which uphold the belief that children have a sacred value to their community.

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Abbreviations

ACCA	Aboriginal Child Care Association
ACCO	Aboriginal Community Controlled Organisation
AMC	Alexander Maconochie Centre
ATSICPP	Aboriginal and Torres Strait Islander Child Placement Principle
CAPO	Care and Protection Organisation
CPLAS	Care and Protection Legal Advocacy Service
CPP	Children's Placement Principle
CSP	Children's Services Program
CSD	Community Services Directorate
CST	Cultural Services Team
CYFSP	Children, Young People and Family Services Program
CYP Act	Children and Young People Act
CYPS	Children and Youth Protection System
CYRIS	CYPS Client Information System
DDTS	Digital, Data and Technology Services
ECEC	Early Childhood Education and Care
EPR	Enduring Parental Responsibility
FGC	Family Group Conferencing
FNFST	First Nations Family Support Team
JACS	Justice and Community Safety
MBS	Medical Benefit Scheme
NBHF	Ngunnawal Bush Healing Farm
OBOWIOC	Our Booris, Our Way Implementation Oversight Committee
OBOW	Our Booris, Our Way
PDT	CSD CYPS Practice and Development Team
RFP	Request for Proposal
SB-HSC	Strategic Board Human Services Committee
SNAICC	Secretariat of National Aboriginal and Islander Child Care

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Minister Foreword

Minister Rachel Stephen-Smith

I would like to start with thanking the Our Booris, Our Way Implementation Oversight Committee for its continuing dedication to the implementation of the Recommendations, and their dedication to seeing real change to the lives of Aboriginal and Torres Strait Islander children and their families.

I also want to acknowledge the work that the Our Booris, Our Way Implementation Oversight Committee has been undertaking in the latter part of this year regarding updating their governance arrangements. I look forward to receiving the updated Terms of Reference and Governance package in due course.

The ACT Government continues to be committed to fully implementing the recommendations alongside our broader commitments under the Aboriginal and Torres Strait Islander Agreement 2019-2028, the National Agreement on Closing the Gap, and Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031.

Addressing these challenges requires a concerted effort from all levels of government, genuine collaboration with Aboriginal and Torres Strait Islander communities, and a commitment to transformative reforms.

As of the 31st of December 2023, 244 Aboriginal and Torres Strait Islander children were living in out of home care, comprising approximately 30% of the total number of children and young people in out of home care. Our goal remains to reduce the number of children entering care, improve their experiences whilst in care and work towards restoration with their families.

It will take time to shift the over-representation in the system, but it is encouraging that we are starting to see the impact of the work to reduce the number of Aboriginal and Torres Strait Islander children and young people coming into care. This includes the vital work of the First Nations Family Support Team. The team has developed a new family support model which provides a different response to children and families reported to child protection with the goal of avoiding the need for a statutory child protection response. The team has now embedded their everyday practice, they are engaging with Aboriginal and Torres Strait Islander families, supporting them, and connecting them to programs and services. During this reporting period the team has worked with and assisted 53 children and 34 adults. This is a strong example of how the recommendations of the Review have translated into real outcomes for Aboriginal and Torres Strait Islander families and highlights the importance of the Implementation Oversight Committee as a partner in monitoring, refining, and adjusting the Government's approach to recommendations over time.

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Work continues within the Directorate and with the Our Booris, Our Way Implementation Oversight Committee to strengthen supports for Aboriginal and Torres Strait Islander kinship carers. We recognise the critical role of kinship carers in keeping children and young people safe and connected to family and community. The Kinship team now has a dedicated First Nations Kinship Liaison Officer, who has been busy supporting carers, providing targeted and culturally informed support to carers and have supported more than 50 carers and families.

Work has been continuing with existing, new, and emerging community-controlled organisations focused on working with children and families and interested in contributing to service delivery across the continuum from early support and family preservation through the out of home care services. We continue to look for opportunities to work with these Aboriginal Community Controlled Organisations (ACCOs) to provide new services and expand existing supports.

During this reporting period there has been important progress in Modernising the Children and Young People Act (CYP Act). A six-week consultation process was undertaken regarding the second stage of amendments to the Act as part of this work. The consultation included workshops with the OBOWIOC Chairperson, representatives from SNAICC, as well as the Aboriginal and Torres Strait Islander Childrens Advocate and the Aboriginal Co-design network. Significant feedback was received, and a listening report released in early 2024.

Overall, we heard support for the proposed changes to CYP Act in stage 2 of this reform, but we also heard a strong call for more detail about some key changes and additional consultation. In response to this feedback and due to the complexities of some elements of this work, we have adjusted how we will progress future amendments to the Act. We have reduced the scope of stage 2 into a narrower amendment bill. The Children and Young People Amendment Bill 2024 (No. 2) will be introduced to the ACT Legislative Assembly in March 2024. If passed, this Bill would establish an external merits review process for child protection decision-making, extend an entitlement to support for young care leavers until the age of 21, and creates a mechanism for embedding Charters, including the recently completed Charter for Parents and Families involved with ACT child protection services. Work to progress remaining additional legislative reforms is ongoing and more consultation will occur to inform this work.

The Aboriginal Legal Service (ALS) continues to deliver the Care and Protection Legal Advocacy Service which has been received well by the community and is meeting a gap in services delivery. During this reporting period the ALS has been able to support 55 clients, 28 in Court proceedings and 27 clients assisted in non-court attendance services from July to December 2023.

I want to acknowledge the work of the Justice and Community Safety Directorate and the community panel in undertaking an innovative recruitment process for the inaugural Aboriginal and Torres Strait Islander Children and Young People Commissioner, which ensured that the perspectives of community and young people were central. It will be a pleasure to welcome Vanessa Turnbull-Roberts as the new Commissioner in early 2024.

I would also like to acknowledge the important role of Ms Barb Causon who undertook the role of interim Aboriginal and Torres Strait Islander Children and Families Advocate with commitment. Ms Causon has provided valuable support to Aboriginal and Torres Strait Islander children and families in the ACT while the process for appointment the Aboriginal and Torres Strait Islander Children and Young People Commissioner was being progressed.

In providing this seventh update on the progress of the implementation of the recommendations I want to further commit our efforts in working with the Our Booris, Our Way Implementation Oversight Committee and the broader Aboriginal and Torres Strait Islander community.

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Chairperson Foreword

Natalie Brown

When delivered in 2019, The Our Booris, Our Way Review recommendations provided the ACT Government with opportunities to lead all Australian jurisdictions to real, meaningful, and enduring reform. Implementation of the recommendations would address a chasm of inequity concerning Aboriginal children that has no place in any community let alone in the Nation's capital of Canberra.



The ACT Government, represented primarily by the Community Services Directorate (the Directorate) - worked alongside a passionate and committed Our Booris Our Way Implementation & Oversight Committee (OBOWIOC). However, we found that for too many years entrenched attitudes and habitual ways of working diminished any capacity for reform. In those early years of the Our Booris Our Way journey, there was a glaringly obvious failure of the Directorate to grasp, let alone act on the nature and scale of change required.

Fortunately for our Booris and their families our Aboriginal and Torres Strait Islander community on Ngunnawal country were passionately committed to change. Supported by this, as well as Aboriginal Community-Controlled Organisations, and members of the wider Canberra community, we did not give up. Alongside this local commitment, we also started aligning more closely with National movements such as those led by SNAICC – the peak Aboriginal children's organisation. SNAICC has supported both Our Committee and the directorate with their skills and expertise to implement our recommendations and influence meaningful legislative changes in the ACT.

During this reporting period on 10 October 2023, Our Committee partnered with the Gulanga Program at ACTCOSS, and brought our community members together with ACT Aboriginal Community-Controlled organisations including Winnunga Nimmityjah, Gugan Gulwan, Sisters in Spirit, Yeddung Mura and Yerrabi Yurwang for a day of truth telling, collaboration, information sharing, discussions, and networking.

This was the first time that everyone has come together in such a large scale gathering. The organising team at ACTCOSS were outstanding and community members were overwhelmingly positive about the event and their desire to continue participating in such events. I wish to thank our community organisations and their leaders, and all community members for everything they so generously gave on this day.

In the latter half of 2023, as you will see in this report, there are noticeable improvements to the implementation progress of OBOW recommendations. While there are still gaps between representations and realities, community feedback is generally more positive about their experiences. Notably, the First Nations Team (FNT) has been described as supportive and culturally respectful in helping families to access the services they need to keep their children with family. This feedback has come from those directly

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involved in the services. The FNT team has been overwhelmed with families wanting to work with them and needs more staff to meet demand.

Families are still benefiting from family group conferencing services, although many say that for safety reasons, they need to access such services via Aboriginal organisations rather than using those solely positioned inside the Directorate.

Within the Directorate there is an increased acknowledgement of the importance of kinship carers, however there is a long way to go in terms of delivering the real changes needed to empower and enable kinship carers. This is a current focus area for Our Committee.

Other areas of notable progress include the Government's partial implementation of Our Committee's recommendation for care and protection legal funding. Funding has now been allocated and helped many children, young people, and their families. Its success has proved the need for increases in specific care and protection legal service funding for our families and we are urging the ACT Government to commit to this as an ongoing and increasing allocation.

The implementation of many of Our Committee's recommendations is having a clear and obvious ripple effect seen in the rights and wellbeing of more children, young people, and families.

However, in the same period our community was impacted by the Referendum – the increased racism leading up to the voting period, as well as the measurable negative impacts that have followed its defeat. We know our young people faced increased covert racism while just living their lives in community – at school, on public transport, with family doing grocery shopping, with friends seeing a movie or out together at night. It wasn't just the general public either, we saw a notable increase in heavy handed policing and surveillance of our young people. Where was the response? Who can our young people go to? What is our jurisdiction doing about racism? Our schools don't have a position on racism, so what can our children and young people expect?

Our Committee knows that several of our young people who are part of the OOHC system have become involved in Youth Justice as a direct result of incidents of racism that were not adequately addressed, if at all.

Whilst I acknowledge that in the final half of 2023, we saw an increase in actions towards implementation of some of Our Committee's recommendations, there are some parts of the ACT Government where we are still witnessing weak and ad-hoc tinkering in systems that are no longer fit for purpose. Whilst some Directorates really are doing some heavy lifting, our children and young people need a joined-up approach from the ACT Government to realise the benefits of growing up strong and thriving here on Ngunnawal Country. Our Committee has outlined how this can be done and continues to press for and drive the implementation of our recommendations.

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Executive Summary

Aboriginal and Torres Strait Islander children and young people continue to be overrepresented in the ACT's (Australian Capital Territory) child and youth protection system, and the recommendations of Our Booris, Our Way hold the solutions to addressing the system failures that drive this outcome.

In this seventh progress report, the ACT Government's efforts from July-December 2023, along with our next steps, are shared. Key highlights in this six-monthly period include:

First Nations Family Support Team

In this 6-month period the First Nations Family Support Team has provided culturally safe and informed support to over 50 families. The team will continue recruitment activities with 2 positions expected to be filled for the Child and Youth Protection Professional level 2 and 3 Case Manager positions.

Family Group Conferencing

Between July and December, the Family Group Conferencing (FGC) team have undertaken 83 consultations with CYPs and ACT Together staff and received 51 referrals. The FGC team completed 11 Family Group Conferences for the purpose of: kinship placement and family contact; safety planning and family preservation; and restoration.

Modernising the Children and Young People Act 2008

The scope of legislative change as proposed in the Stage 2 changes to the CYP Act was released for consultation for six weeks in October 2023 with a detailed information paper and several fact sheets released. Workshops were held with the OBOWIOC Chair and representatives from SNAICC, as well as with all impacted Commissioners including the Aboriginal and Torres Strait Islander Children's Advocate and the Aboriginal Co-design Network.

Aboriginal Community Controlled Organisations

Following the completion of the Feasibility Study in 2020 and recognising the need for increased service provision through Aboriginal Community Controlled Organisations (ACCOs), the Government has committed to progressively re-allocating funding from the child protection and out of home service system to support Aboriginal Controlled Community Organisations to provide services to Aboriginal and Torres Strait Islander children and their families who are in contact with the Child Protection System.

Facilitated by the Aboriginal Service Development Branch (ASD) in the Community Services Directorate, the Government worked with the ACT Human Services Registrar and Yerrabi Yurwang Child and Family Aboriginal Corporation to support it to become a Care and Protection Organisation. Upon completing its application Yerrabi Yurwang was registered in December 2023 as a Care and Protection Organisation. The ASD Branch also worked with the Next Steps Branch to provide a streamlined application process for interested ACCOs to deliver various services to be considered as part of the new Children, Young People and Families Panel.

Inaugural Aboriginal and Torres Strait Islander Children's Commissioner

On 10 November 2023, Ms Vanessa Turnbull-Roberts was appointed as the inaugural Aboriginal and Torres Strait Islander Children and Young People Commissioner. Ms Vanessa Turnbull Roberts commences her five-year term as the Aboriginal and Torres Strait Islander Children and Young

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People Commissioner on 26 February 2024.

Monitoring and Evaluation

CSD continues to monitor the 8 recommendations currently in the Monitoring and Evaluation stage and looks forward to continuing to work in partnership with the OBOWIOC to progress the implementation of the remaining recommendations.

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Recommendation Progress as of December 2023

Key	Progressing	Significant progress	Close to Monitoring	Monitoring and Evaluation
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* Progress includes new initiatives

Rec 1:* Allocation of Aboriginal and Torres Strait Islander children's cases to experienced and culturally intelligent case workers.	Rec 2: Engagement of SNAICC for training on embedding Child Placement Principle	Rec 3: Policy and practice review to explicitly embed the Child Placement Principle	Rec 4: Universal access to family group conferencing
Rec 5: Ensure full intent of Aboriginal and Torres Strait Islander Child Placement Principle is reflected in the Children and Young People Act 2008	Rec 6:* Feasibility study Aboriginal Child Care Association	Rec 8 (A): Culturally appropriate advocate service	Rec 9: Early support programs available Rec 9 (A): Accessible and appropriate early support programs for drug and alcohol rehabilitation, family violence, mental health and trauma
Rec 10 (A): Access to supports for kinship carers Rec 10 (B)(I) & (II): Kinship care assessment process	Rec 11 (A) & (B)*: Improve quality and monitoring of cultural plans Rec 12: Pathways to restoration	Rec 13:* Aboriginal and Torres Strait Islander father inclusive practice	Rec 14:* Aboriginal and Torres Strait Islander health assessments
Rec 15: Governance and oversight of implementation of recommendations	Rec 16: Increase Aboriginal and Torres Strait Islander led decision making in child protection	Rec 17: Aboriginal and Torres Strait Islander workforce and leadership	Rec 18: Support development of the cultural services team
Rec 19: Appropriate identification, and de-identification, of children	Rec 20: Segmentation and data on kinship care Rec 21: ACT Indigenous Procurement Policy	Rec 22 (A): Framework for ACT Together case work Rec 22 (B): Children moved to CYPs Rec 22 (C): Fostered by ACT Together managed by CYPs	Rec 23:* Wreck Bay Rec 24: Appoint a project team to implement recommendations and monitor practice change
Rec 25: Data collection and analysis	Rec 26(A): Adoption and permanency arrangements Rec 26(B): Enduring parental responsibility orders	Rec 27: Active referrals and follow-up	Rec 28: Family connection practices

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Rationale for progress status

Key	Progressing	Significant progress	Close to Monitoring	Monitoring and Evaluation
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* Progress includes new initiatives

Recommendation	Rationale
1 Allocation	Focus has switched from training all staff (which continues) to establishing a First Nations Support team. This team commenced in early 2023.
2 SNAICC training	Contract in place for twice yearly training. Numbers of trained have been over 75. The OBOWIOC agreed to monitoring status on 7 November 2022.
3 CPP into policy and practice	A number of documents have been reviewed. This space will be informed by the CYF Reform program. CSD needs to work with the OBOWIOC on a Practice Implementation Framework.
4 FGC access	Rec 4: Access to Family Group Conferencing – OBOWIOC decision date 6 February 2023.
5 CYP Act amendments	SNAICC report commissioned. Informed Stage 1 amendments. Stage 2 amendments released for public consultation Sept/Oct 23.
6 ACCA Feasibility Study	Study completed. Aboriginal Services Development Branch working with established and emerging ACCOs.
7 Children’s Commissioner	<i>Aboriginal and Torres Strait Islander Children and Young People Commissioner Act 2022</i> passed November 2022, Aboriginal and Torres Strait Islander Children and Families Advocate in place, national recruitment process undertaken. OBOWIOC monitoring decision date 6 March 2023.
8a Cultural Advocates	Guidance provided to staff and families. More work to be undertaken as part of CYF reform.
8b Legal Service	ALS funded for two years. Evaluation to be conducted to support seeking recurrent funding.
9 Early support programs	Cross directorate working group established and early supports programs mapped. New budget initiatives presented. Key strategic commitments developed – Next Steps, Best Start, Commissioning roadmap.

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9a Early support for AOB, FDV, MH, Trauma	Cross directorate working group established and early supports programs mapped. Grants provided.
10a Supports for kinship carers	Programs, websites, factsheets, events. Research and Kinship Carer Support workers.
10bi Kinship care immediately	Policy and process for priority placement implemented. Data provided quarterly. Assessment process on active cases shared.
10bii Kinship care assessment	Implementation of streamlined decision-making process that prioritises placement with kin. Data provided. Kit developed.
11a Cultural Plans	CYF and ACT Together process developed to monitor and review the development and use of cultural plans.
11b Improve quality and monitoring	Continued improvement in the construction, content, and review of plans.
12 Pathways to Restoration	Established Restoration Taskforce. Restoration assessment process shared, and current de-identified case status shared.
13 Father inclusive practice	Audit conducted to identify how to further lift practice in this space. CYF reform will also inform this rec.
14 715 health assessments	715s prioritised. Data to be collected on CYRIS.
15 Implementation Oversight Committee	Committee set up and monthly oversight and guidance provided.
16 Cultural led decision making	Guidance provided. New e-learn. CYF reform to influence practice.
17 Workforce and leadership	Improved recruitment processes. Attraction, development, and recruitment plan. CYPP classification process and Indigenous Competency Framework.
18 Cultural Services Team	Permanent recruitment of team. Policy and practice develop and still being settled. ANSZOG report.
19 Identification and de-identification	Policy developed and implemented. Monitoring mechanism in place. Committee decision date 6 Feb 2023.
20 Data on kinship	Data provided showing the majority of children are with kinship carers. SNAICC report on definition of kinship.
21 Procurement policy	22a Framework for case work ACT Together.
22a Framework for case work ACT Together	Monitoring and review framework in operation for over 12 months. Improved practices demonstrated.

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22b Children moved to CYPs	No transfer for long-term orders to ACT Together.
22c Fostered by ACT Together managed by CYPs	Cases have been moved or the arrangements shared with the Committee.
23 Wreck Bay	Service needs continue to be discussed with Wreck Bay as Government negotiates MOU.
24 Project team to monitor recs	Implementation team established and supported the implementation of and reporting on recs.
25 Data collection and analysis	Data report co-designed with OBOWIOC and provided monthly. Content continues to be improved.
26a Adoption and Permanency Arrangements	SNAICC engaged to provide independent advice on issues of legislation of non-adoption.
26b EPR only for Aboriginal kin	Interim policy was established to safeguard cultural and connection. SNAICC engaged to provide independent advice on issues of legislation of non-adoption.
27 Active referrals and follow up	Initiatives were put in place including the Aboriginal and Torres Strait Islander Case Direction and Discussion Group and Spotlight on Practice to ensure active referrals and follow up. CYF Reform will also influence this recommendation.
28 Family connection practices	More work continues to be done to uplift family connection practices. CYF reform will impact this rec.

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Introduction

This seventh progress report covers the period July-December 2023. It shares the active efforts of the ACT Government to implement the recommendations from the Our Booris Our Way review.

In 2017, the Government commissioned a review into the over-representation of Aboriginal and Torres Strait Islander children in the child protection system in the ACT.

This was to be a systemic review into the child protection system and to provide a better understanding of how we – government and the community – can reduce the number of Aboriginal and Torres Strait Islander children in care and ensure children remain connected to community and culture, supporting parents and families to safely care for their children.

Most importantly, the Our Booris, Our Way Steering Committee was an Aboriginal and Torres Strait Islander co-designed and led review, and a national leading example of practical self-determination.

The [Our Booris, Our Way Review](#) made 28 recommendations and eight (8) sub-recommendations (totaling 36 recommendations) to the government, iteratively over a two-year period with the final report presented to the government in December 2019.

The [Government](#) has made a firm commitment to fully implement the agreed recommendations of the Our Booris, Our Way Review in collaboration with the Aboriginal and Torres Strait Islander community. We have backed up this commitment with an overall investment of \$19.3 million from 2018-19 to 2023-24.

In June 2020, the Our Booris, Our Way Implementation Oversight Committee was established to monitor implementation and provide a cultural lens to guide the systemic reform necessary to meet the expectations set out in the review. The Oversight Committee meets monthly to consider various elements of the work, with detailed quarterly updates provided by relevant Directorates.

During this 6-month period the Implementation Oversight Committee have met with Community Services Directorate (CSD), JACS (Justice and Community Safety) and CMTEDD (Chief Minister, Treasury and Economic Development Directorate) at 6 monthly meetings where each recommendation and its progress has been reported on and discussed at least twice.

Each recommendation provides an update on key activities and outcomes achieved during the period and describes the focus in the next six months.

Our Booris Today

What the data tells us

As of 31 December 2023, there were 244 Aboriginal and Torres Strait Islander children and young people in out of home care.

Of the 244 children and young people:

- 144 children and young people (59 per cent) were on Long-term Orders (with care residing with the Director General)
- 43 children and young people (18 per cent) were on Long-term Orders (3rd Party Parental Responsibility)
- 15 children and young people (6 per cent) were on Short-term orders (< 2 years)
- 30 children and young people (12 per cent) were on Interim Orders or Emergency Actions
- 12 children and young people (5 per cent) had no care and protection orders in place (over 18 post care supported placements)¹
- No children and young people were on Voluntary Care Arrangements.

Table 1 – Aboriginal and Torres Strait Islander children and young people in out of home care, by order type as of December 2018 and December 2023

Order Type	As at Quarter 2, December 2017-18		As at Quarter 2, December 2023-24	
	Count	Percentage	Count	Percentage
Order Type	262		244	
Long term orders (with DG)	171	65%	144	59%
Long-term Orders (3rd Party Parental Responsibility)	27	10%	43	18%
Short-term orders (< 2 years)	35	13%	15	6%
Interim Orders or Emergency Actions	23	9%	30	12%
No Care and Protection orders (over 19 post care-placements)	3	1%	12	5%
Voluntary Care Arrangements	3	1%	0	0%

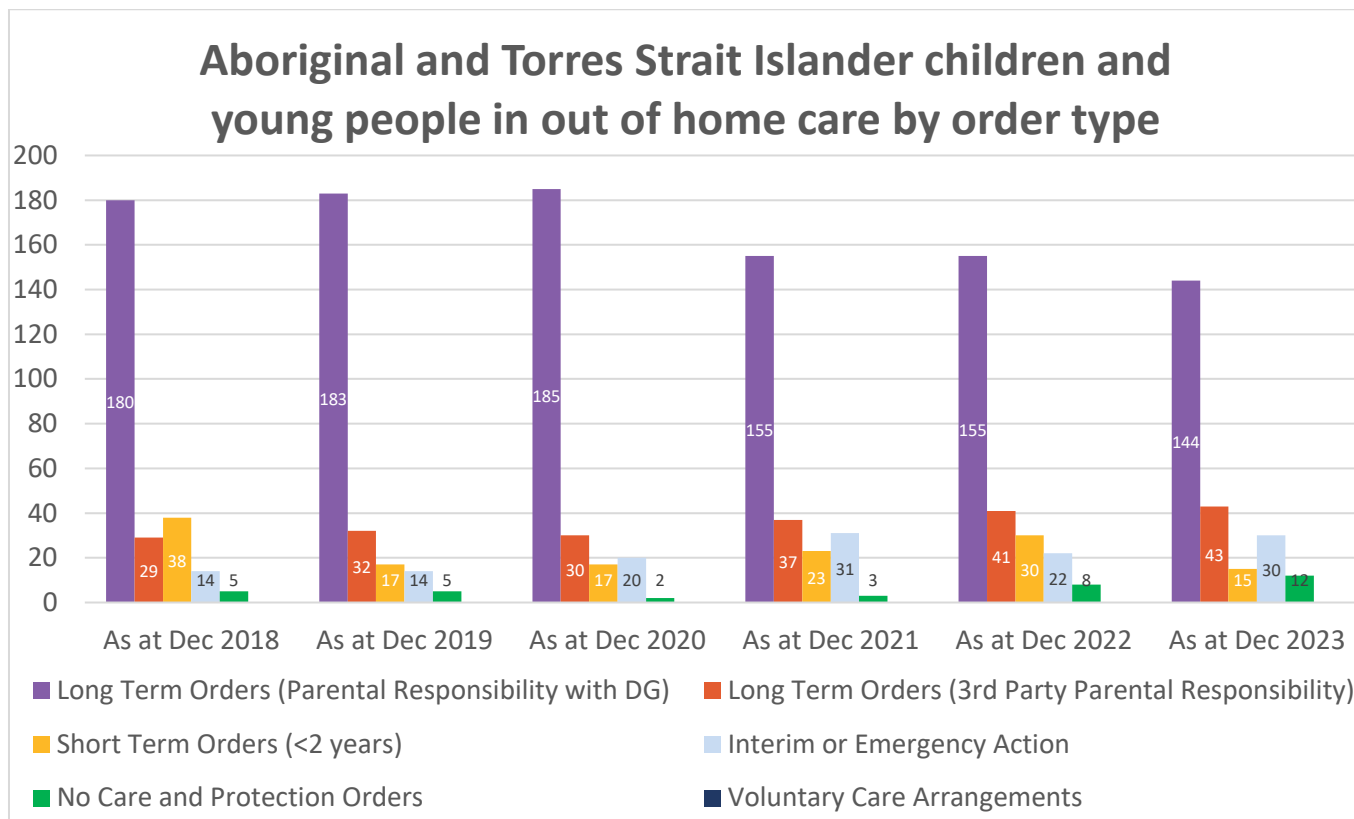
Data Source: Next Steps for Our Kids Snapshot Q2 2023/24

¹ This category includes young people aged 18 years-old and above who are living in post-care supported placements

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Figure 1 – Aboriginal and Torres Strait Islander children and young people on Child Protection orders, by order type from December 2018 to December 2023



Data Source: Next Steps for Our Kids Snapshot Q2 2023/24

As of 31 December 2023, there were 244 Aboriginal and Torres Strait Islander children and young people in out of home care.

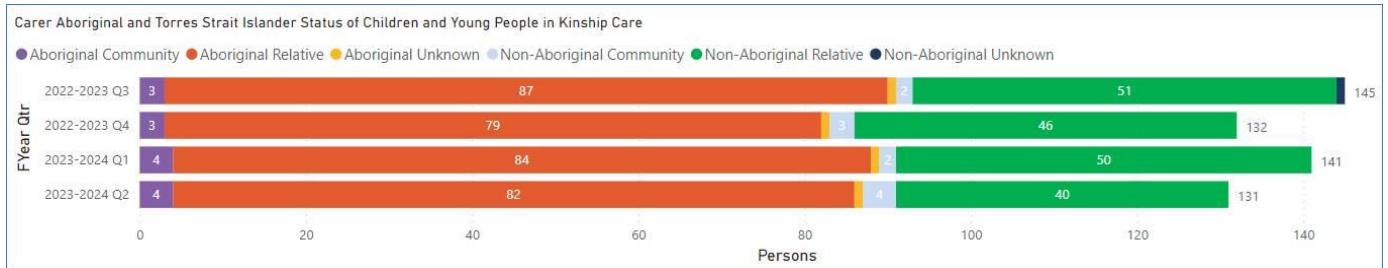
Of the 244 children and young people:

- 131 (54 per cent) were living in a kinship care placement (please see Figure 2 for a breakdown of kinship care);
- 58 (24 per cent) were living in a foster care placement;
- 42 (17 per cent) were living in an Enduring Parental Responsibility placement; and
- 13 (5 per cent) were living in a residential care placement.

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Figure 2 – Carer Aboriginal and Torres Strait Islander status of children and young people in kinship care from March 2023 to December 2023



Data Source: Next Steps for Our Kids dataset

Table 1 – Aboriginal and Torres Strait Islander children and young people in out of home care, by placement type as of 31 December 2017 and 31 December 2023

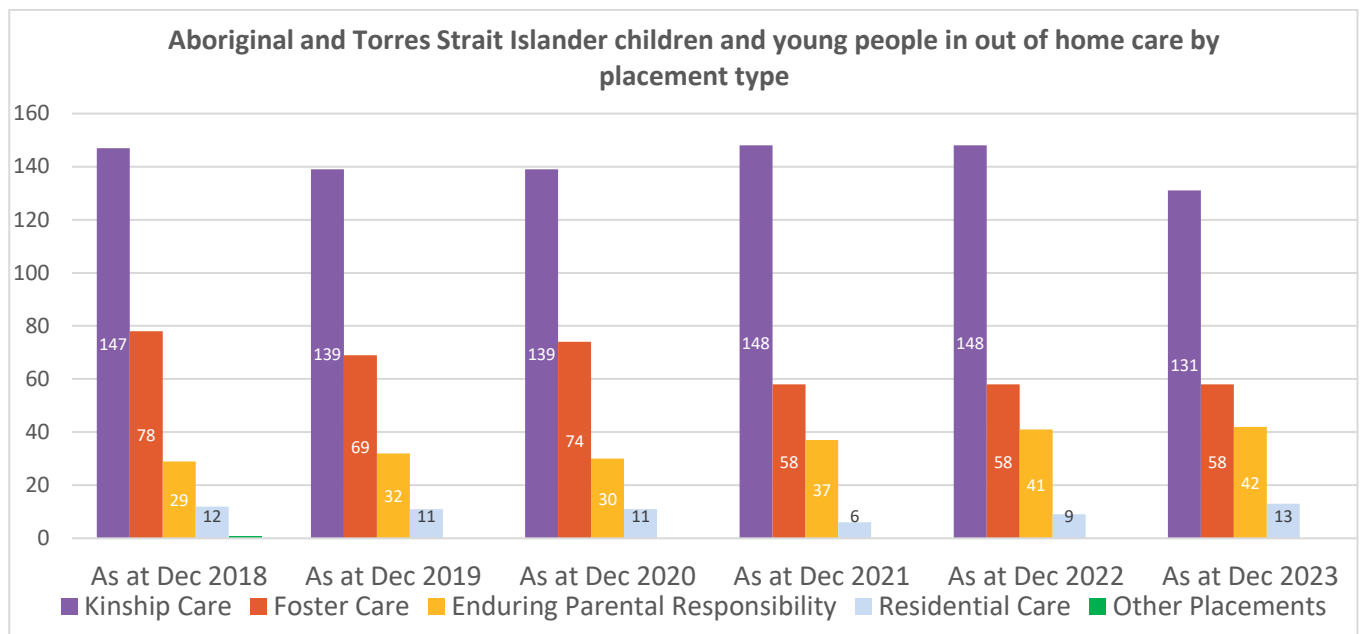
	As at Quarter 2 December 2017-18		As at Quarter 2 December 2023-24	
Placement Type	262		244	
Kinship Care	140	53%	131	54 %
Foster care	87	33%	58	24 %
Enduring Parental Responsibility	27	10%	42	17 %
Residential care	7	3%	13	5 %
Other Placements	1	0.4%	0	0 %

Data Source: Next Steps for Our Kids Snapshot Q2 2023/24

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Figure 3 – Aboriginal and Torres Strait Islander children and young people in out of home care, by placement type from December 2018 to December 2023



Data Source: Next Steps for Our Kids Snapshot Q2 2023/24

RECOMMENDATION 1

Allocation of Aboriginal and Torres Strait Islander children's cases to experienced and culturally intelligent case workers

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.

Presented by the OBOW Steering Committee June 2018. Agreed by the ACT Government August 2018.

ACTIVITIES JULY-DECEMBER 2023

CSD is committed to ensuring Aboriginal and Torres Strait Islander families involved with the child protection system are supported with dedicated and experienced workers.

From the first point of contact with the system, the First Nations Family Support Team provides culturally safe and informed responses via two pathways: *Family Support* – in response to the reports identified as lower risk, or at risk of cumulative harm, and in need of brief support intervention; *Appraisals* – in response to the reports identified as higher risk and in need of more intensive support via statutory intervention. The team is led by, and currently comprises of the following Aboriginal and Torres Strait Islander staff: Operations Manager, Principal Practitioner, Team Leader, Senior Case Manager, and level 3 Case Manager. Within the team, there are non-Indigenous staff (senior case manager and two case managers) that have been carefully selected by a wholly Aboriginal and Torres Strait Islander recruitment panel to work alongside families in a culturally responsive approach.

From July – December the team have responded and supported over 50 families. They have also:

- Met face to face with Aboriginal Community Controlled Organisations for introductions, and consultations with respect to hearing communities' voices for what needs to change in the Child Protection setting.
- Met face to face with other relevant support services such as Legal Aid NSW and the Aboriginal Legal Service to determine culturally safe support and advocacy services in the community.
- Fostered community collaboration to ensure culturally safe referral pathways exist, which will work toward diverting Aboriginal children, young people, and families away from the Child Protection setting.
- Fostered internal CYPS collaboration by meeting face to face with the wider workforce to introduce the team, and to provide an overview of what our support comprises of in efforts to set a standard of care for Aboriginal children, young people and their families in the Child Protection setting.
- Worked in collaboration with the CYPS policy and systems teams to re-write existing policy to allow the provision of the Family Support pathway.
- Completed the Cultural Immersion training facilitated by Winangay on 11 October 2023 and the training in specific family assessment tools on 18-19 October 2023. This resulted in additional cultural learnings and practice guidance provided to staff, as well as Winangay's culturally safe tools being utilised for the first time by ACT Government in the child protection space.

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Whilst the First Nations Family Support Team is specifically focused on supporting families from the first point of contact, Children, Youth and Families (CYF) continues to ensure all Child and Youth Protection Services (CYPS) staff have completed the Cultural Development Program with over 75% of operational staff completing the program by 31 December 2023. Alongside this training, CYF is committed to shared decision making and has now fully operationalised the Aboriginal and Torres Strait Islander Care Pathway panel. This shared decision-making model ensures that all proposed applications for court orders or the commencement of legal proceedings are endorsed by a wholly Aboriginal-led group. It provides all staff an opportunity to strengthen practice and ensure alignment with the Aboriginal and Torres Strait Islander Child Placement Principles.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

First Nations Family Support Team recruitment will progress for the CYPP (Child and Youth Protection Professional) level 2 and 3 Case Manager positions and across the next 6 months CYPS will continue to enrol new starters into the Cultural Development Program upon commencement and support staff to complete the program in the first 12 months.

RECOMMENDATION 2

Engagement of SNAICC for training on embedding Child Placement Principle

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 (ATSICPP) within their practice.

Presented by the OBOW Steering Committee June 2018. Agreed by the ACT Government August 2018.

ACTIVITIES JULY-DECEMBER 2023

The most recent SNAICC training was delivered on 25-26 October 2023.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The OBOW Implementation Oversight Committee (OBOWIOC) has agreed that this recommendation is at a monitoring stage.

RECOMMENDATION 3

Policy and practice review to explicitly embed the Child Placement Principle

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.

Presented by the OBOW Steering Committee June 2018. Agreed by the ACT Government August 2018.

ACTIVITIES JULY-DECEMBER 2023

During this quarter CYF progressed the initial development of the implementation framework that will support and strengthen practice required to continue to meet a number of practice related recommendations (including recommendation 3, 16, 27, 28) and provide a more clinically informed position about how to action the support response in context to individual family circumstances.

The Practice Implementation plan is a key initiative being embedded in the new CYF Division Structure and roll out of the new Practice Framework and Standards, practice guidance and resources.

CYF is looking at designing a systems approach to better support the quality casework practice uplift for all aspect of casework. Currently this is managed through case-by-case discussions and practice supervision or case review when matters are raised with CYF.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 4

Universal access to Family Group Conferencing

That the Directorate provide (universal) 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.

Presented by the OBOW Steering Committee June 2018. Agreed by the ACT Government August 2018.

ACTIVITIES JULY-DECEMBER 2023

Between July and December, the Family Group Conferencing (FGC) team have undertaken 83 consultations with CYPS and ACT Together staff and received 51 referrals. The FGC team completed 11 Family Group Conferences for the purpose of: kinship placement and family contact; safety planning and family preservation; and restoration.

The Aboriginal and Torres Strait Islander Practice Leader also attends the Aboriginal and Torres Strait Islander Care Pathway. This ensures that FGC is considered for all families that are discussed.

The FGC team have continued to meet with the CYRIS team to improve processes and ensure that all FGC data and work continues to be captured and reported accurately.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

We will be working to progress the procurement process to identify a service provider for the FGC Evaluation and continue the ongoing community engagement and liaison in relation to an FGC, empowering family led decision making and participation.

The OBOW Implementation Oversight Committee (OBOWIOC) has agreed that this recommendation is at a monitoring stage.

RECOMMENDATION 5

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

The child placement principle needs to be explicitly enshrined in legislation. We recommend that the Directorate commence foundation, consultation and research work required to ensure the Aboriginal and Torres Strait Islander Child Placement Principles (CPP) are appropriately described in the Children and Young People Act. This will require, at a minimum, changes to both Sections 10 and 513 of the Children and Young People Act.

Presented by the OBOW Steering Committee December 2018. Agreed by the Act Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

Since the last report, the scope of legislative change as proposed in the Stage 2 changes to the CYP Act was released for consultation for six weeks in October 2023 with a detailed [Information Paper](#).

The paper was supported by several fact sheets, diagrams and information sessions held with stakeholders and people who will be directly impacted by the proposed changes. Workshops were held with the OBOWIOC Chair and representatives from SNAICC, as well as with all impacted Commissioners including the Aboriginal and Torres Strait Islander Childrens Advocate and the Aboriginal Co-design Network.

Significant feedback was received, the majority of which was positive about the scale, scope, and intent of the proposed changes.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Noting the significant feedback received, careful consideration is being given to the feedback and how to ensure it is adequately addressed and, where appropriate, reflected in new legislation.

A Listening Report detailing the feedback will be released early in 2024, followed by development of the draft Bill for introduction into the Legislative Assembly in March 2024.

Having heard the community's feedback, and in particular SNAICC's call for an exposure draft along with greater collaboration around future detail, careful consideration is being given to the best legislative staging to meet community expectation and ensure work is delivered in partnership.

RECOMMENDATION 6

Feasibility study Aboriginal Child Care Association

That a comprehensive analysis of an Aboriginal Child Care Association is conducted.

Presented by the OBOW Steering Committee December 2018. Agreed in principle by the ACT Government May 2019 and agreed 2020.

ACTIVITIES JULY-DECEMBER 2023

Following the completion of the Feasibility Study in 2020 and recognising the need for increased service provision through Aboriginal Community Controlled Organisation's (ACCOs), the Government has committed to progressively re-allocating funding from the child protection and out of home care service system to support ACCOs to provide services to Aboriginal and Torres Strait Islander children and their families who are in contact with the Child Protection System.

Facilitated by the Aboriginal Service Development Branch (ASD) in the Community Services Directorate, the Government worked with the ACT Human Services Regulator and Yerrabi Yurwang Child and Family Aboriginal Corporation to become a Care and Protection Organisation. Upon completing their application Yerrabi Yurwang was registered in December 2023 as a Care and Protection Organisation. The ASD Branch also worked with the Next Steps Branch to provide a streamlined application process for interested ACCOs to deliver various services to be considered as part of the new Children, Young People and Families Panel.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

ACCO Strategic Policy Framework

The development of an ACCO Policy is an action under the ACT Government's *Closing the Gap 2021 Implementation Plan*. Priority 2, identified as *Building the Community Controlled Sector*, establishes that CSD is 'to work in partnership with other directorates to develop a Policy Paper outlining our approach to genuinely partner with ACCOs and business to deliver better services and capability'. In drafting the ACCO Strategic Framework, the ACT Government is now working with the Aboriginal and Torres Strait Islander Elected Body and then conducting a broader ACT consultation. This will enable us to deliver on ACT Labor Platform 4.4 Support the development of sustainable Aboriginal and Torres Strait Islander community-controlled organisations in areas such as child and family services, justice, housing, and disability.

RECOMMENDATION 7

Aboriginal and Torres Strait Islander Children's Commissioner

The ACT appoint an Aboriginal and Torres Strait Islander Children's Commissioner with these and additional capacity to specifically intervene and engage in child protection processes. The Commissioner, on an ongoing basis, would provide monitoring, advice, and advocacy on systemic and individual cases. The Commissioner would be able to advise and influence government on a broad spectrum of issues that impact our children across both government and non-government services including for example, education, health, housing, child protection and provide independent advice on issues of culture and equity. They would also have the specific ability to engage as a party to case conferences and provide alternative pathways to resolution than court orders.

Presented by the OBOW Steering Committee December 2018. Noted by the ACT Government May 2019 and agreed in principle July 2020.

ACTIVITIES JULY-DECEMBER 2023

JACS (Justice and Community Safety Directorate) commenced a national recruitment process for the inaugural Aboriginal and Torres Strait Islander Children and Young People Commissioner on 26 June 2023. The recruitment process was supported by recruitment firm Pipeline Talent and included extensive stakeholder engagement and advertising in national media outlets, including Indigenous media. As required by legislation, the ACT Aboriginal and Torres Strait Islander community was involved in the process for selecting the new Aboriginal and Torres Strait Islander Children and Young People Commissioner, including representatives from the Our Booris, Our Way Implementation Oversight Committee.

On 10 November 2023, Ms Vanessa Turnbull-Roberts was appointed as the inaugural Aboriginal and Torres Strait Islander Children and Young People Commissioner. Ms Turnbull-Roberts is a Bundjalung Widubul-Wiabul woman with lived experience of the impact of the child protection system on Aboriginal and Torres Strait Islander people.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Ms Vanessa Turnbull-Roberts will commence her five-year term as Aboriginal and Torres Strait Islander Children and Young People Commissioner on 26 February 2024. In her new role, Ms Turnbull-Roberts will work to protect and promote the rights, interests and wellbeing of Aboriginal and Torres Strait Islander children and young people in the ACT, individually and at a systemic level.

Ms Barb Causon will continue as the interim Aboriginal and Torres Strait Islander Children and Families Advocate until Ms Turnbull-Roberts commences as the inaugural Commissioner. This will ensure continuity of support for families and children and allow a hand-over period with the new Aboriginal and Torres Strait Islander Children and Young People Commissioner.

RECOMMENDATION 8(A)

Culturally appropriate advocate service

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.

Presented by the OBOW Steering Committee December 2018. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

CSD continues to provide guidance, advice, and support for CYF staff, and those families engaged with service providers on the role of advocates and support people working with Aboriginal and Torres Strait Islander families in contact with the child protection system.

Currently this is managed through case-by-case discussions and practice supervision or case review when matters are raised with CYF.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 8(B)

Access to legal representation and advocacy

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.

Presented by the OBOW Steering Committee December 2018. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

The Care and Protection Legal Advocacy Service (CPLAS), provided by the Aboriginal Legal Service NSW/ACT (ALS) enjoyed a successful second half of 2023.

The CPLAS supported 55 clients, 28 in litigated Court proceedings and 27 clients assisted in non-court attendance services from July to December 2023. It should however be noted that this was with the staffing of one full time junior solicitor only up until 4 September 2023.

The CPLAS successfully recruited and onboarded a second Senior Solicitor on 4 September 2023 bringing many contacts and a wealth of knowledge around care and protection legal advocacy.

The service has gained great visibility in the community, engaging with members to bring awareness of the service.

The CPLAS continued to accept clients and referrals from service providers such as the ACT Government Child and Youth Protection Services, Legal Aid, Women's Legal Centre (WLS), Court Registry, Everyman, Yhurwun Ballan, Bimberi Youth Detention Centre, Office for ACT Aboriginal and Torres Strait Islander Children and Young People, ALS Criminal Service, YWCA Canberra. The service was in high demand in the six-month period, further highlighting the need for the service.

The majority of referrals, however, are clients who have self-referred followed by ALS Criminal service, WLS and Yhurwun Ballan. Emerging referral sources include Bush Healing Farm, Canberra Alliance for Harm Minimisation and Advocacy (CAHMA), AMC, direct referrals from The Childrens Court (the Bench) and Canberra Community Law.

Current formalised referral pathways exist with ACT Legal Aid where the service has memorandums of understanding established. ACT Child and Youth Protection Service also has a formalised information exchange process.

To evaluate the effectiveness and cultural responsiveness of the CPLAS, a survey was settled late in the reporting period. Clients complete the survey when their matter has concluded. In the reporting period, seven litigation clients undertook a survey.

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IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As the CPLAS service reaches the 12-month period since its establishment, during this next reporting period it is timely to consider the total number of qualitative outcomes and number of clients approaching the service with variation applications. CPLAS will look to identify if it is possible to consider comparative data from the ACT Childrens Court for the period June 2022-2023 in respect of Aboriginal and Torres Strait Islander clients and engagement and participation in proceedings, solicitor assisted and/or self-represented and outcomes.

Subject to staffing capacities, growth of the program would support the introduction of the additional initiatives including defining the sources of self-referrals and promoting these sources and recruitment of a field officer to work within the service to assist in wrap around holistic and non-legal assistance. Further initiatives that could be focused upon include the development of early intervention legal assistance model for families with CYPS and Legal Aid as potential partners, the introduction of legal education to the community and the introduction of legal clinics where appropriate with notification/mandatory reporting agencies.

The CPLAS program in ACT is still in its infancy, however, has a growing reputation for achieving good outcomes for families as well as for the provision of culturally appropriate service provision.

The next reporting period will provide an opportunity for the ALS to report on a greater number of surveys and to provide a better insight into the cultural responsiveness and effectiveness of the CPLAS.

RECOMMENDATION 9 & 9(A)

Recommendation 9: Early support programs available

Community feedback has strongly advocated for the need of services that provide positive support to families, early and during voluntary engagement with the child protection system.

Presented by the OBOW Steering Committee December 2018. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

Next Steps first 4-year Action Plan

An increase in access to early support programs for Aboriginal and Torres Strait Islander families is being delivered through the *Next Steps* Strategy and Action Plan. *Next Steps* captures a vision for an ACT child protection system which is child centered and family focused. It includes an integration of earlier family support, prevention, child protection, out of home care and youth justice and seeks to strengthen families who interact with this system. The *Next Steps Action Plan 1* is the roadmap to how this will be achieved. Co-designed with key stakeholders, it was released in November 2023.

The *Next Steps Action Plan 1* is broken into 5 priority initiatives. Priority Initiative 1 is Our Booris, Our Way. Under this initiative the Government has committed to implementing actions that include establishing a specific Aboriginal and Torres Strait Islander birth advocacy service, improving family access to culturally safe early support to keep children safe and prevent escalation into crisis and strengthening of community led decision making and service design.

Several actions from the First Action Plan are already complete including the establishment of the Child and Family Reform Ministerial Council. The Council's membership includes significant lived experience and at least 30% Aboriginal and Torres Strait Islander representation. The Chair of the Our Booris, Our Way Implementation Oversight Committee sits on the Council as an ex-officio member. The Council's primary role is to oversee the implementation of the *Next Steps Action Plan 1*.

In August 2023, the Territory released a Request for Proposal to establish a new Children, Young People and Families Panel of appropriately qualified and experienced non-government organisations including Aboriginal and Community Controlled Organisations (ACCOs) to deliver statutory and non-statutory services to children, young people, families, and carers.

The Panel will be established from 1 July 2024 to provide the service packages of Sustaining Families; Kinship Care; Foster Care; After Care and Targeted Support Services including Alternate Care, Supported Contact and Transport Arrangements and Functional Family Therapy – Youth Justice.

The Sustaining Families Package will deliver earlier support for families, strengthened preservation and diversion from the statutory child protection system.

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Aboriginal Community Controlled Organisations have been encouraged to submit a proposal with support provided through the Aboriginal Service Development Branch.

The Request for Proposal procurement closed on 10 October 2023 and has progressed to the evaluation phase. Services are anticipated to commence mid- 2024.

The Best Start for Canberra’s Children: The First 1000 Days Strategy (Best Start)

In December 2023, the Best Start Phase One Action Plan was endorsed Ministers. The actions were informed via consultation with people lived experience, including members of the Aboriginal and Torres Strait Islander community. Action 10 – Scope opportunities to improve cultural integrity and inclusivity of mainstream services to provide greater choice for families, directly responds to the feedback from members of the Aboriginal and Torres Strait Islander community which heard that families would like to be able to have choice about which services they access, and to ensure that all are culturally aware and safe. Work under this action will begin by scoping early supports already in place and ensuring their cultural applicability.

The Early Years Working Group (EYWG) continues to meet to coordinate key ACT Government strategies for prenatal to eight-year-old children, their families, and carers. Core projects overseen by EYWG include *Best Start for Canberra’s Children; the First 1000 Days Strategy (Best Start)*, *Set Up for Success: An Early Childhood Strategy for the ACT (Set Up for Success)*, *Australian Early Development Census (AEDC)*, *Early Childhood specific actions under the ACT Aboriginal and Torres Strait Islander Agreement* and the *Territory-Wide Child and Family Network*.

• Child, Youth and Family Services Program

The Child, Youth and Family Services Program (CYFSP) is designed to assist vulnerable children, young people, and their families. Service mix extends across a broad range of non-statutory services including Case Management, Youth Engagement, Groups Programs, Therapeutic Services and Intensive Support. Commissioning of the CYFSP will enable greater access to early support for Aboriginal and Torres Strait Islander children, young people and families.

- 30% of intensive support funding progressively transitioning to the Aboriginal Community Controlled Sector; and
- The removal of the closed referral pathways into intensive support, enabling children, young people and families to access intensive support before engagement with the Youth Justice or Child Protection System.

Funding agreements under the CYFSP for all services are in place until 30 June 2024.

At the time of writing this report all CYFSP funding agreements are being extended until 30 June 2025 to enable the investment phase of the commissioning process to occur. Changes to Intensive Support will see:

Aboriginal Community Controlled Organisations – Early Support contract update

- A contract has been executed with Gugan Gulwan for the provision of Intensive Family Support. The current contract is to 30 June 2024. It is informed and written in partnership with Gugan-Gulwan and delivers:

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- reciprocal feedback loops and accountability for all parties,
- embeds Gugan Gulwan's Program Logic as the KPI deliverables,
- falls in line with Gugan Gulwan's cadence of reporting, and
- has removed payment milestones by providing all funds upfront.

ACT HEALTH DIRECTORATE

The ACT Health Directorate (ACTHD) works on a range of programmatic activities for early support intervention support in the alcohol and other drugs, family and domestic violence, and mental health and trauma spaces, tying into the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 Focus Areas of Health and Well-being, and Children and Young People.

The Aboriginal and Torres Strait Islander health subsector is in the Discover phase of commissioning. Through Discover phase engagements, sector partners and Community have highlighted several current and emerging health needs and service gaps impacting Aboriginal and Torres Strait Islander children and young people. Over the next 6 months, agreements with Aboriginal and Torres Strait Islander health sector partners are due to expire (30 June 2024). ACT Health will work with sector partners to transition to medium- and longer-term Deeds of Grant to support the progress of this commissioning cycle during the transition, and other associated policy activity.

We will work with CSD, CHS (Canberra Health Services) and Education to ensure the information from the Kindy Health Check is informing policy and operational responses to support Aboriginal and Torres Strait Islander Children to meet developmental goals.

The ACTHD Academic Unit of General Practice (AUGP) has provided 2021 & 2022 Kindy Health Check data for the National Agreement on Closing the Gap, and the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 reporting. Data was also presented at the Aboriginal and Torres Strait Islander Elected Body (Elected Body) Hearings in August 2023.

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ACT HEALTH DIRECTORATE

The AUGP will be developing closer links with the ACT Health Directorate Aboriginal and Torres Strait Islander Health Partnerships team to provide them with data specific to 5–6-year-old Aboriginal and Torres Strait Islander children which will assist in the identification of health priorities and development of strategic policy; (beyond the data provided for the Agreement).

AUGP will provide reporting of Kindy Health Check data specific to 5–6-year-old Aboriginal and Torres Strait Islander children to the Elected Body upon request and we will work towards the provision of 2023 Kindy Health Check data for the ACT and National Aboriginal and Torres Strait Islander Agreement 2019-2028.

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COMMUNITY SERVICES DIRECTORATE

The Early Years Working Group will be overseeing the initial planning phase of a cross-directorate project/pilot, the Three-Year-Old Health Check, an ACT Health, and development screening check for 2.5-3-year-old children. The aim of the screening is to identify children's development needs, and where identified link the child and their parents/carers/families to a range of services and supports. The Pilot will target priority populations of those who would benefit most.

ACT Aboriginal and Torres Strait Islander children are a recommended cohort to be included in the pilot, aligned with ACT Government commitments in ACT Aboriginal and Torres Strait Islander Agreement 2019 – 2028 and the Child and Adolescent Clinical Services Plan 2023-2030. This is validated by ACT data from the Australian Early Development Census (AEDC) reporting Aboriginal and Torres Strait Islander children are less likely to be on track on all AEDC domains than their peers and supports the national agenda of Closing the Gap focusing to improve outcomes for Aboriginal and Torres Strait Islander children to thrive in their early years.

The Best Start Implementation Working Group will be developed and will focus on outreach and engagement with early support Aboriginal and Torres Strait Islander services to look at culturally appropriate ways to achieve actions in the Best Start Phase One Action Plan.

The Community Services Directorate is implementing a Commissioning Strategy to support self-determination. The intentions for the strategy were clearly outlined in the Commissioning Roadmap released in 2022 with the primary focus on existing and new ACCOs.

The strategic approach is for greater self-determination driven through ACCOs through this means more services, programs, and supports delivered by community for community. The specific focus is enabling more capacity and capability within existing ACCOs that provide early support programs for families during the critical period of voluntary engagement with the child protection system.

This is achieved in a range of ways such as:

- reallocating and changing the levels of funding for ACCOs to reflect the service demand from the Aboriginal and Torres Strait Islander community in Canberra;
- making it easier for ACCOs to report once to the ACT Government staff can focus on program delivery and frontline operations; and
- bringing ACCOs together more often to improve the way connections and referrals occur across the system, an approach that can achieve greater whole-person care in a culturally safe way.

Implemented through the actions of multiple Directorates, we are focused on apply commissioning approaches with ACCO leaders from:

- Winnunga Nimmityjah Aboriginal Health and Community Services
- Gugan-Gulwan Youth Aboriginal Corporation
- Yerrabi Yurwang Child and Family Corporation
- Yurauna and the CIT (Canberra Institute of Technology) Job Readiness Program
- First Nations Justice Support Programs
- New Aboriginal Community Controlled Organisation for Housing

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IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

- Continue to implement the reallocation of funding for ACCOs to reflect the service demand from the Aboriginal and Torres Strait Islander community in Canberra.
- Continue to streamline reporting and requests from the ACT Government to improve the capacity of ACCOs to deliver programs for the community.
- Continue to facilitate activities that bring ACCOs together to continuously improve the way connections and referrals occur across the system.

Recommendation 9(A): Accessible and appropriate early support programs for drug and alcohol rehabilitation, family violence, mental health, and trauma

The steering committee recommend that the ACT government fund specific programs that are timely and meet the cultural needs of the community in the ACT. These programs must address drug and alcohol rehabilitation, family violence, mental health, trauma counselling and cultural healing.

Presented by the OBOW Steering Committee December 2019. Agreed in principle by the ACT Government June 2020.

ACTIVITIES JULY-DECEMBER 2023

FAMILY, DOMESTIC AND SEXUAL VIOLENCE OFFICE

Family, Domestic and Sexual Violence Funding to Aboriginal Community Controlled Organisations

The Domestic, Family and Sexual Violence Office funded five ACCOs in 2023 to provide responses to Aboriginal and Torres Strait Islander people impacted by domestic, family, and sexual violence (DFSV). Throughout July-December 2023, the organisations focused on establishment and service enhancement activities.

Service reporting received in August for the majority of ACCOs indicated positive outcomes for clients, and for newer organisations, the achievement of key milestones to support organisational establishment and growth.

The 2023-24 Budget allocated more than \$3 million over four years to address domestic, family, and sexual violence for Aboriginal and Torres Strait Islander people. Funding includes:

- \$1.617 million for implementing community-led family violence responses for Aboriginal and Torres Strait Islander communities.
- \$661,000 for strengthening domestic and family violence response for the Aboriginal and Torres Strait Islander community.
- \$785,000 to implement the Aboriginal and Torres Strait Islander consultation recommended in Listen: Take Action to Prevent, Believe and Heal Report.

In November 2023, the Domestic, Family and Sexual Violence Coordinator-General and the Aboriginal Services Development Branch held a workshop with ACCOs and Aboriginal and Torres Strait Islander-led domestic, family, and sexual violence services to partner in identifying gaps and priorities - 'Towards a dedicated Aboriginal and Torres Strait Islander-led domestic, family and sexual violence specialist service system'.

ACT HEALTH DIRECTORATE

Aboriginal and Torres Strait Islander alcohol and other drug residential rehabilitation facility

The ACT Government has committed \$47.8 million in the 2023-24 ACT Budget to redevelop the site on Antill Street. The upgrades include three new facilities. This includes \$17 million to establish a new alcohol and other

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drug 24-bed residential rehabilitation facility to provide care for Aboriginal and Torres Strait Islander people, operated by Winnunga Nimmityjah Aboriginal Health and Community Services other work on this site includes:

- replace the current infrastructure and double capacity for the alcohol and other drug rehabilitation services for young people, operated by Ted Noffs Foundation;
- replace the current infrastructure and double capacity for the residential care facility for young people with mental health conditions, operated by Marymead CatholicCare; and

Aboriginal and Torres Strait Islander Mental Health Services Consultancy

In 2023, ACT Health engaged Aboriginal and Torres Strait Islander consultants, Yulang Indigenous Evaluation, to review ACT Government mental health services available for Aboriginal and Torres Strait Islander people, and to identify approaches to enhance culturally appropriate care. This included for children, young people, and families.

The project was guided by a reference group whose membership included Community Services Directorate, ACT Health, Capital Health Network, and the ACT Aboriginal and Torres Strait Islander Suicide Prevention and Mental Health Partnership Group.

Over the next 6 months, the final report will be used to inform policy, planning and budget considerations. This includes what the ACT Government can do to ensure greater access to Aboriginal and Torres Strait Islander mental health support across a wide range of roles – from specialist and medical care to care coordination and health promotion, as well as cultural strengthening, healing, and prevention.

ACT Aboriginal and Torres Strait Islander Suicide Prevention, Postvention and Aftercare Service

The ACT culturally appropriate Aboriginal and Torres Strait Islander suicide prevention, aftercare, and postvention services commenced operating in 2023.

This service is being delivered by Thirrili, an Aboriginal and Torres Strait Islander service, and operating from a site in Phillip. The team are working with local services and individuals to support people from across the ACT Aboriginal and Torres Strait Islander communities, including youth.

Over the next 6 months, Thirrili will continue to grow the ACT service and will continue to develop relationships and connections with other service providers.

Strengthen programs and support at the Ngunnawal Bush Healing Farm (NBHF)

In June to December 2023, 15 participants started the program. Note that figures for program completion are not provided as without deeper context they are misleading and do not respectfully tell the full story of participant journeys, or impact of the NBHF. The holistic support offered by NBHF staff for participants, their children and their families cannot be measured in simplistic ‘completion’ figures.

Visits from sector experts continue, with opportunities for improvements both received and given. These improvements have been iteratively incorporated into recent programs.

Over the next 6 months, work to move towards residential services will progress in two streams. The first is operational, with the purpose being improvement of day-services to support sustainable transition to residential services. The second stream is strategic, being implementation of key recommendations from the recent review of governance arrangements to ensure critical decisions on how Community wants to progress residential are made.

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For the period 1 July to 31 December 2023, ACT Health Directorate funding for the Ngunnawal Bush Healing Farm was:

- Program delivery and operations – \$577,000
- Land management and maintenance – \$299,000
- With a total input of \$876,000

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

DOMESTIC, FAMILY AND SEXUAL VIOLENCE OFFICE

Over the next 6 months, the Domestic, Family and Sexual Violence Office will continue to work in partnership with Aboriginal and Torres Strait Islander people to identify investment priorities in preventing and responding to domestic, family, and sexual violence for Aboriginal and Torres Strait Islander people in the ACT.

Curiyo, a majority Aboriginal owned business, will be engaged to support meaningful engagement with Aboriginal and Torres Strait Islander community members on upcoming projects and programs which address domestic, family, and sexual violence. These projects include:

- domestic, family, and sexual violence training for Aboriginal and Torres Strait Islander staff working in sectors which support Aboriginal and Torres Strait Islander people impacted by domestic, family, and sexual violence.
- development of a multidisciplinary centre to respond to sexual violence.
- changes to improve how agencies communicate with each other to support the safety and wellbeing of victim-survivors impacted by domestic and family violence design and development of a mechanism for victim-survivors of domestic, family, and sexual violence to inform policies and programs.

ACT HEALTH DIRECTORATE

Over the next 6 months, ACT Health will progress all the initiatives outlined in their section of the report above.

RECOMMENDATION 10(A)

Access to supports for kinship carers

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.

Presented by the OBOW Steering Committee May 2019. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

The First Nations Kinship Liaison officer commenced on 1 June 2023 and has continued to shape and develop the role. The role continues to undertake Initial Kinship Assessments and often remains involved once the assessment is complete to enable ongoing support and advocacy. At other times, the Liaison Officer: provides support to established kinship placements; travels to other states and Territories to support Aboriginal children and carers and complete carer assessments; and provides cultural guidance to the broader Kinship Assessment and Support Team when they are working with Aboriginal and Torres Strait Islander care families.

Children, Youth and Families (CYF) hosted events to mark Aboriginal and Torres Strait Islander Children's Day and NAIDOC (4 August 2023 and 10 July 2023 respectively). The NAIDOC Celebration included a separate walk on country at the Botanic Gardens and it included various arts and crafts activities including rock painting and art. There were generous donations from the Indigenous Literacy Foundation for the children including book packs containing Aboriginal and Torres Strait Islander stories and other children's books.

On 7 September, CYF Team hosted story circles at the Child and Family Centre's to mark Indigenous Children's Literacy Day. This event was led by the First Nations Kinship Liaison Officer with support from the Indigenous Literacy Foundation.

CYF continues to distribute a monthly newsletter for carers. The newsletter aims to ensure carers are well informed and up to date about support services, training opportunities and community events. It also includes various helpful articles about issues relevant to kinship carers.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Continue to develop a tailored Enhanced Learning Orientation Program for kinship carers and engage with Carers ACT to develop a series of e-Learning programs for carers.

RECOMMENDATION 10(B)I & II

Kinship care assessment process

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.

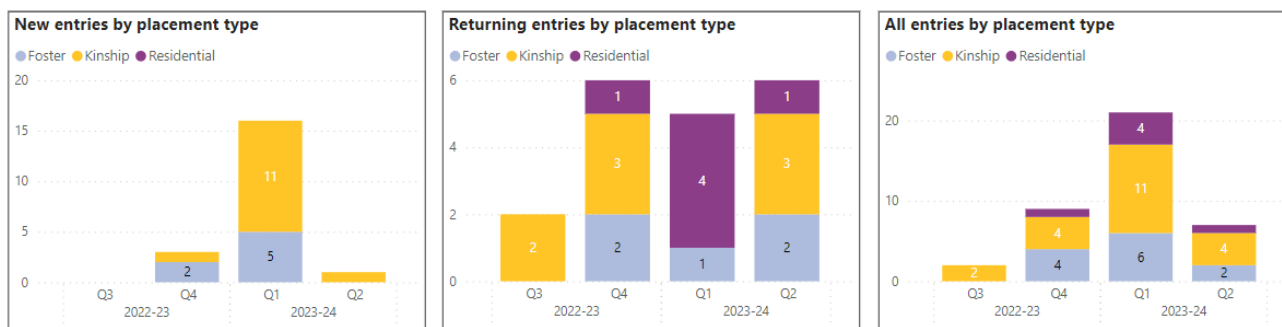
10(b)(ii) The Steering Committee recommends that the process of applying and performing suitability assessment of Aboriginal and Torres Strait Islander kinship carers (Kinship Carer Assessments) is a transparent and timely process and that additional resources be applied to ensure that these are not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

Presented by the OBOW Steering Committee May 2019. Agreed in principle by the ACT Government in May 2019.

ACTIVITIES JULY-DECEMBER 2023

CSD continues to prioritise allocation of all Aboriginal and Torres Strait Islander kinship applicants seeking to have a family member placed with them and have finalised the Kinship Carers information Kits to provide more guidance and support for kinship carers. CYPS Kinship Team (alongside the First Nations Team) completed the Cultural Immersion Training and the Winangay Provisional Kinship Assessment tool. Both sets of training have now been completed and piloting of the kinship assessment tool has commenced.

The table¹ below monitors where children and young people are placed once they enter care. CYF are committed to ensuring children are placed with kinship carers immediately. For Q1, there was an increase in the number of children entering care due to 2 large sibling groups entering care for the first time.



IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

CYF will continue to monitor closely Aboriginal and Torres Strait Islander children being placed in Aboriginal and Torres Strait Islander kinship care immediately upon removal.

¹ Please note: Previous Our Booris Our Way review (Jan – Jun 2023) report indicated slightly different results for Q3 and Q4. This was a data issue and has now been rectified.

RECOMMENDATION 11(A) & (B)

Improve quality and monitoring of cultural plans

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).

Presented by the OBOW Steering Committee May 2019. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

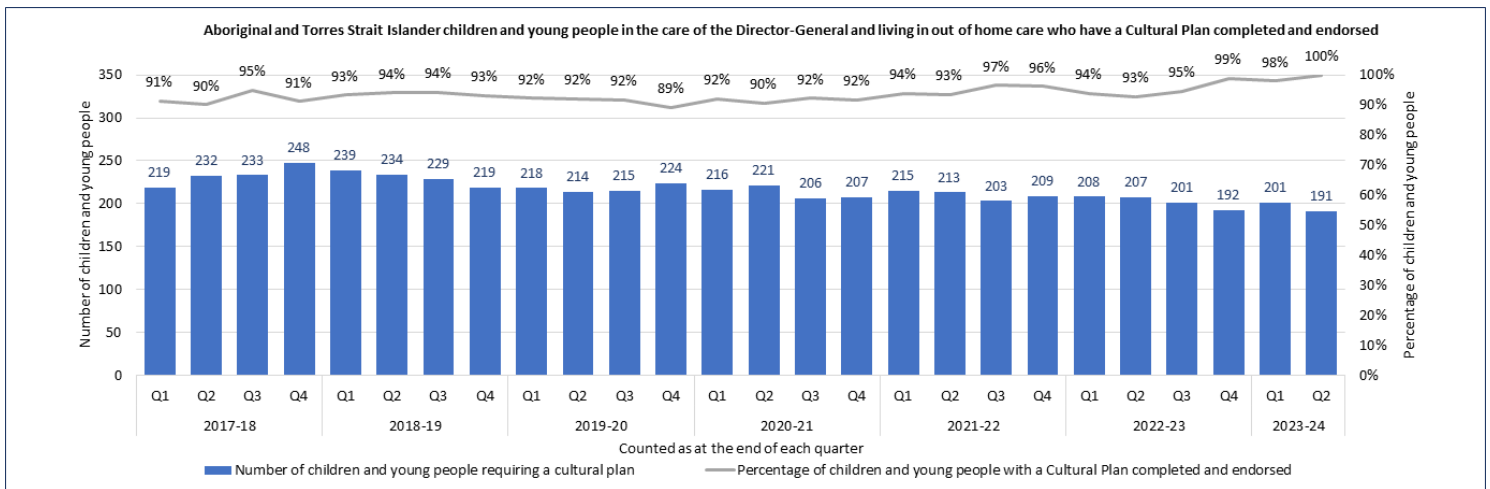
Preparatory work was completed during this reporting period on the proposed Stage 2 amendments to the *Children and Young People Act 2008*. This includes the proposal to introduce a robust minimum standard to protect the consistency and quality of care and cultural plans, with increased oversight by the court and the requirement the active participation of children, young people, and their families. Consultation on proposed changes formally commenced in October 2023.

Children, Youth and Families (CYF) continue to monitor the quality and compliance for Cultural Plans across CYF and ACT Together. Principal Practitioners continue to encourage and support case management staff with Cultural Plans and Operational Compliance support the coordination of this process.

Our Booris, Our Way Review

Six-monthly Update July-December 2023

The Figure below shows that as of 31 December 2023, the number of Aboriginal and Torres Strait Islander children in the care of the DG and living in out of home care (who are eligible for a cultural care plan) have remained above 95% over the last 4 quarters.



IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Continue to monitor quality and compliance of cultural plans across teams.

RECOMMENDATION 12

Pathways to restoration

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.

Presented by the OBOW Steering Committee May 2019. Agreed in principle by the ACT Government in May 2019.

ACTIVITIES JULY-DECEMBER 2023

The Restoration Taskforce continues to be Aboriginal-led and holistically considers individual circumstances of parents, children, and young people and where able, restore children back to the care of a parent, family member or strengthen family connection opportunities.

Collaboratively with ACT Together, CYF convened a workshop to explore current practice and processes. It was agreed that further discussions would take place with key stakeholders to ensure alignment and future planning.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

In January 2024, a workshop will be held with representatives from Our Booris Our Way Implementation Oversight Committee, Aboriginal and Torres Strait Islander Advocate, ACT Children and Young People Commissioner and ACT Together leadership to reflect on learnings from 2023 and consider opportunities to strengthen the processes.

RECOMMENDATION 13

Aboriginal and Torres Strait Islander father inclusive practice

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

Presented by the OBOW Steering Committee May 2019. Agreed by the ACT Government May 2019.

ACTIVITIES JULY-DECEMBER 2023

The Cultural Services Team has initiated a project with Alexander Maconochie Centre (AMS) to explore opportunities to jointly develop and implement strategies to actively engage fathers in parenting programs and create resources and materials that specifically address the needs of families. Key ideas explored together included space for parenting courses shared at AMC; education programs; supporting playgroups with Men and Women at AMC around cultural aspects (Painting, Art, and language); enhance existing parenting skills; developing and implementing strategies to actively engage fathers in parenting programs; creating resources and materials that specifically address the needs and experiences of fathers; and conducting training sessions for staff on father-inclusive approaches

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 14

Aboriginal and Torres Strait Islander health assessments

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.

Presented by the OBOW Steering Committee May 2019. Noted by the ACT Government May 2019 and agreed July 2020.

ACTIVITIES JULY-DECEMBER 2023

The CYPS Health Liaison Officer and the CYPS paediatric nurse have been engaging with families/kinship carers during this review period. The collaboration of these roles has been critical to supporting case managers, kinship carers and Aboriginal and Torres Strait Islander children in scheduling and completing health checks. Specifically, the CYPS paediatric nurse has been providing health literacy to kinship carers and supporting kinship carers' engagement with health services.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

We will continue to improve the CYPS data system for optimum recording and monitoring of the Health Assessments data and the Early Years Working Group overseeing the initial planning phase of a cross-directorate project for the Three-Year-Old Health Check.

RECOMMENDATION 15

Governance and oversight of implementation of recommendations

The Steering Committee recommends that an Implementation Oversight Committee of five members be established to meet at least on a quarterly basis to receive updates from the Directorate and other relevant parties to address progress and ascertain whether the implementation has stayed true to the original intent of the recommendations.

Presented by the OBOW Steering Committee September 2019. Agreed by the ACT Government December 2019.

ACTIVITIES JULY-DECEMBER 2023

This recommendation has been agreed as completed.

With the support of the secretariat the OBOWIOC continues to meet monthly to review the implementation of the OBOW recommendations.

The OBOWIOC will continue to operate in partnership with the ACT Government to work towards full implementation of the recommendations.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

A key focus for the OBOWIOC for the next six months will be developing and implementing a strong governance framework.

RECOMMENDATION 16

Increase Aboriginal and Torres Strait Islander led decision making in child protection

The Steering Committee recommend that every opportunity be taken to engage the child and family in decision making, particularly using conferencing mechanisms to promote shared understanding and facilitate participation of families in decision making for their children.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

During this quarter CYF progressed the initial development of the implementation framework that will support and strengthen practice required to continue to meet a number of practice related recommendations (including recommendation 3, 16, 27, 28) and provide a more clinically informed position about how to action the support response in context to individual family circumstances.

The Practice Implementation plan is a key initiative being embedded in the new CYF Division Structure and roll out of the new Practice Framework and Standards, practice guidance and resources.

CYF is looking at designing a systems approach to better support the quality casework practice uplift for all aspect of casework. Currently this is managed through case-by-case discussions and practice supervision or case review when matters are raised with CYF.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 17

Aboriginal and Torres Strait Islander Workforce and Leadership

The Steering Committee recommend that CSD focus on attracting Aboriginal and Torres Strait Islander staff to join CYPS and invest specifically in the recruitment and development of the Aboriginal and Torres Strait Islander staff members into leadership and executive positions.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government June 2020.

ACTIVITIES JULY-DECEMBER 2023

CSD Aboriginal and Torres Strait Islander Workforce Data – Q1 2022-23 to Q1 2023-24

CSD has witnessed a significant increase in the number of Aboriginal and Torres Strait Islander staff over the past year. Between December 2022 and December 2023, there was a notable surge of almost 40% in the representation of Indigenous employees within CSD workforce. Furthermore, from the end of quarter 1 of the 2023-24 financial year, to the end of second quarter (ending December 2023) there has been observed a continued positive trend, with a 19% growth in Indigenous staff members. This demonstrates CSD’s commitment to fostering diversity and inclusion and underscores the effectiveness of strategic recruitment initiatives.

	Q2 2022-23 31/12/2022	Q3, 2022-23 31/12/2022	Q4, 2022-23 30/06/2023	Q1, 2023-24 30/09/2023	Q2, 2023-24 31/12/2023
% of CSD staff who are Aboriginal and Torres Strait Islander	5.32%	5.44%	5.92%	5.90%	6.8%
Number of CSD staff who are Aboriginal and Torres Strait Islander	58	61	68	69	81
Number of CSD identified positions*	38	37	46	49	54
Number of CYF staff who are Aboriginal and Torres Strait Islander	23	28	35	34	41
Number of CYF identified positions**	12	12	20	23	26
% of CYF staff who are Aboriginal and Torres Strait Islander	5.52	6.47%	7.94%	7.74%	9.0%

*Includes 6 Board Member positions, 3 of which are in CYF.

** Includes 3 Board Member positions.

Our Booris, Our Way Review

Six-monthly Update July-December 2023

Update on draft Aboriginal and Torres Strait Islander Attraction, Retention and Development Plan 2024-2026:

The People, Capability and Culture Branch developed the draft Aboriginal and Torres Strait Islander Attraction, Retention and Development Plan 2024-2026 which was presented to the Strategic Board of Management (SBoM) meeting on 1 June 2023, where endorsement was received to commence formal consultation. The Directorate will continue to apply improved recruitment practices to Aboriginal and Torres Strait Islander recruitment action.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Implementation Phase of the Aboriginal and Torres Strait Islander Attraction, Retention and Development Plan 2024-2026 (the Plan)

Many activities and initiatives within the Plan have already commenced. A dedicated SharePoint page will be created for CSD staff to access information regarding the Aboriginal and Torres Strait Islander Attraction, Retention and Development Plan 2024-2026, and track progression towards its objectives and goals, in addition to identifying work areas for accountability.

Activities for the next 6 months include:

Attraction

Action:

Regularly review position descriptions and attraction strategies to ensure they:

1. Are consistent with the ACTPS (ACT Public Sector) Recruitment Policy and Guidelines requiring plain English and clear articulation of the skills and knowledge needed; and
2. Incorporate advertising identified vacancies, cultural considerations, factors, benefits, and motivators important to Aboriginal and Torres Strait Islander candidates.
3. Circulate CSD job advertisements through additional advertising channels and media platforms, to increase visibility and engagement of target markets. This will include employment agencies specializing in the placement of Aboriginal and Torres Strait Islander candidates and ACTPS Aboriginal and Torres Strait Islander networks.
4. Conduct a review to streamline assessment and selection practices and processes, to ensure there is a culturally safe environment for Aboriginal and Torres Strait Islander candidates. The processes will be user-friendly and free of systemic barriers and biases which may impact the successful progression of candidates.
5. Register CSD's interest in participating in the CareerTrackers Indigenous Internship Program.

Retention

Action:

1. Provide meaningful cultural capability opportunities for all CSD staff, including experiential learning and cultural awareness and initiatives.

Our Booris, Our Way Review

Six-monthly Update July-December 2023

Development

Action:

1. Advertise internally to all identifying supervisors and staff the CYPP paraprofessional scheme to support completion of a relevant undergraduate degree.
2. Prioritise Aboriginal and Torres Strait Islander participation in the Supervisor Development Program.
3. Ensure collection of open and honest Aboriginal and Torres Strait Islander workforce data, to help inform workforce planning and training and development opportunities.

RECOMMENDATION 18

Support development of the cultural services team

The Steering Committee recommend that the Cultural Services Team be supported to develop through:

- *Defining specific policies and processes that guide their practice, engagement, responsibility and influence with families and case workers, particularly around decisions and pathways for children;*
- *Assess work level standards and equivalency with case workers (post new EBA levels and standards);*
- *Recognising and valuing specific, in demand skills;*
- *Defining policy and processes for escalation of concerns and for them to be considered in a timely and appropriate manner;*
- *Reviewing employment contracts with a view to ensuring permanency to build a stable team;*
- *Developing mechanisms that enable Aboriginal and Torres Strait Islander team members to be supported in their personal development plans with clear pathways to further professional development, and*
- *Establishing pathways for development and promotion to senior levels within the organisation.*

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The Cultural Services Team continues to review current practice, engagement, responsibility and influence with families and case workers, particularly around decisions and pathways for children. The team supports families with their engagement/relationship with CYPS, provides cultural advice and support to the Operational areas to ensure they are working in a cultural safe and respectful way with families, ensures they are working in line with the Aboriginal and Torres Strait Islander Child Placement Principles, has a dedicated specialist in family finding and provides support and guidance to case workers who complete Cultural Plans for all Aboriginal and Torres Strait Islander children in care.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 19

Appropriate identification, and de-identification, of children

The Steering Committee recommend that the Directorate develop specific guidelines and processes to define their role in relation to the identification and de-identification of Aboriginal and Torres Strait Islander children that makes explicit the limit of the Directorate's role and the need for independent Aboriginal and Torres Strait Islander community oversight and assurance of the process.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The 'Recording the cultural identity of Aboriginal and/or Torres Strait Islander children and young people' policy has been approved. The purpose of this policy is to ensure that active efforts are made to identify the cultural identity of Aboriginal and/or Torres Strait Islander children and young people involved with CYPS and have this accurately recorded. A monitoring mechanism is in place to reconcile the number of children and young people in the Community Services Directorate, Director-General care and confirming appropriate actions have been undertaken with family and the cultural services team.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The OBOW Implementation Oversight Committee (OBOWIOC) has agreed that this recommendation is at a monitoring stage.

RECOMMENDATION 20

Segmentation and data on kinship care

The Steering Committee recommend that the CYPS adopt the Family Matters definition of kinship when applying the ATSICPP and as a discreet reporting group whenever providing data on kinship care.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government June 2020.

ACTIVITIES JULY-DECEMBER 2023

Preparatory work was completed this reporting period on the proposed Stage 2 amendments to the *Children and Young People Act 2008*. This includes the proposal to introduce a definition of an Aboriginal and Torres Strait Islander kinship carer into legislation, alongside a proposed new strengthened placement hierarchy. Consultation on proposed changes formally commenced in October 2023.

Consultation on the CYP (Children and Young People) Act opened October-November 2023. Sessions to be held with OBOWIOC representatives, SNAICC (Secretariat of National Aboriginal and Islander Child Care), ACCOs, legal and community sectors, carers and children and young people on scope of change proposed.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The OBOW Implementation Oversight Committee (OBOWIOC) has agreed that this recommendation is at a monitoring stage. Disaggregated data on kinship care is now provided in the front data section of this report.

RECOMMENDATION 21

ACT Indigenous procurement policy

The Steering Committee recommend that future procurement for child protection services must be aligned to the ACT Government Indigenous Procurement Policy as it relates to the funding of specific Aboriginal and Torres Strait Islander services and must evidence alignment and fulfilment of the ATSI CPP in their placement of children, recruitment of carers, assessment of kinship carers and case work.

Presented by the OBOW Steering Committee December 2020. Agreed by the ACT Government July 2021.

ACTIVITIES JULY-DECEMBER 2023

Update on Tender process - A request for proposal (RFP) was released to community service providers on 3 August 2023 for the delivery of statutory and non-statutory services for children, young people, families, and carers. The RFP will establish a panel of providers to deliver a range of culturally safe services for children, young people, families, and carers – including services for sustaining families, kinship care, foster care, after care and targeted supports (alternate care, supported contact and transport arrangements and Functional Family Therapy - Youth Justice). The panel looks beyond the statutory care system to provide increased prevention and early support, to strengthen families and help more children and young people remain safe at home. The RFP is a critical step in the delivery of the new service system developed in consultation with experts across the community and government along with people with lived and living experience as part of the ACT Government's reform of child and family services.

The ACT Indigenous Procurement Policy was applied through the introduction of a Conditional Supplier process available only to ACCOs that have been assessed as meeting the RFP requirements but may have some technical / risk areas to address. A targeted action plan is developed with the ACCO and the ACCO is supported to address these issues and progress to full service provision.

Cultural competency was a key evaluation criterion common to all Service Packages for the RFP. Respondents were required to respond to and provide evidence for multiple evaluation questions. These questions included how their organisations not only establishes but also continually improves cultural competency in the delivery of services to children, young people, families and carers; strategies to recruit, retain and develop their workforce to deliver culturally competent services, and actual practice frameworks. The evaluation strategy for the RFP was multi-faceted and included the assessment of responses and practice frameworks as well face to face interviews. Evaluation was also conducted by multiple groups including technical and financial groups as well as the Evaluation Board. The Chair of Our Booris, Our Way Implementation Oversight Committee was a member of the Evaluation Board.

The new service system will deliver diverse and inclusive services for children, young people, families, and carers, including Aboriginal and Torres Strait Islander people, people with disability, people from culturally and linguistically diverse backgrounds and LGBTIQ+ people.

Our Booris, Our Way Review

Six-monthly Update July-December 2023

Aboriginal Controlled Community Organisations (ACCOs) were encouraged to respond to the RFP to ensure we can deliver culturally safe and appropriate services to children, young people, families, and carers. CSD is committed to transferring services to ACCOs, and the procurement process was designed to enable a flexible approach to expanding ACCO services over time.

The RFP (Approach to Market) closed on 10 October 2023. The RFP Documentation can be shared upon request.

Contract clauses in respect of Aboriginal and Torres Strait Islander service provision have been included in all recent contracts and contract extensions. This has included the deed of variation for Barnardos and Uniting to continue to deliver their current services until the end of June 2024. Further this contract clause has also been included in the MacKillop Family Services contract to provide Therapeutic Residential Care.

The contract clause will also be present in all contracts which are executed following the current procurement process for the delivery of statutory and non-statutory services for children, young people, families, and carers.

- Evaluation/Negotiation and deed execution will occur over November 2023-March 2024.
- Service commencement will commence at the beginning of July 2024.

Contract Clauses (panel deeds) are standard for statutory and non-statutory services for children, young people, families, and carers and to become part of business as usual.

Updated contracts for Karinya, Red Cross, CREATE and Carers ACT to include the clauses are currently in the process of being executed.

The Next Steps Branch along with Regulation and Quality Assurance are also exploring ways to embed the clauses through Care and Protection Organisation (CAPO) requirements and Child Safe Standards. A monitoring and measuring framework are also under development currently.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

A proposal will be presented to OBOWIOC in the future to seek views in respect of the approach outlined above.

RECOMMENDATION 22(A), (B) & (C)

Quality of case work and allocation of Aboriginal and Torres Strait Islander children under A Step Up For Our Kids

22 (A) The Steering Committee recommend that there be a framework developed and implemented for the formal monitoring and supervision of the quality of case work being conducted by ACT Together in relation to Aboriginal and Torres Strait Islander children on long term orders.

22 (B) The Steering Committee recommend that all Aboriginal and Torres Strait Islander children that move to long term orders, from January 2020, must be managed by Child and Youth Protection Services and not transferred to ACT Together until a framework is in place to monitor the quality of casework

22 (C) the Steering Committee recommend that Aboriginal and Torres Strait Islander children who are fostered by ACT Together staff, must be managed by the Directorate and that this transition be completed by June 30, 2020.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The Monitoring and Review Framework has been developed and implemented over the past 22 months and regular quarterly performance reports are presented to the committee. As a result, it was agreed with the committee that CYF could identify cases that can be transferred to ACT Together and commenced organising meetings to facilitate this process. This will continue to be monitored through the monthly contract management meetings.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The OBOW Implementation Oversight Committee (OBOWIOC) has agreed that this recommendation is at a monitoring stage.

RECOMMENDATION 23

Wreck Bay

The Steering Committee recommends that CSD undertake a proper consultation process with the Wreck Bay community about an appropriate service and support model including family and early support, and child protection issues that promotes better outcomes for the community. The timeframes associated with this consultation should be determined by the Wreck Bay community.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The ACT Government, led by CMTEDD, is continuing to negotiate with the Commonwealth on a new Memorandum of Understanding (MoU) to provide for the ACT's service delivery role in the Jervis Bay Territory. Finalisation of a new MoU will allow specific services and service models, including any improvements, to be articulated in new service agreements.

In the meantime, the ACT Government has worked with the Commonwealth to improve flexibility of access to justice and other support services through upgrades to the networks and audio-visual facilities and functionality at the Jervis Bay Territory administration office and courthouse buildings.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

Negotiations between the Commonwealth and ACT Governments on the content and terms of a new MoU are continuing. Timeframes for this are dependent on agreement between the Commonwealth and ACT Governments. The consultation framework for the development of service agreements under the MoU is being considered as part of negotiations and would be led by the Commonwealth, in collaboration with the ACT. This includes the ACT's role in providing family and early support, and child protection, services to promote better outcomes for the Jervis Bay Territory community.

RECOMMENDATION 24

Appoint a project team to implement recommendations and monitor practice change

The Steering Committee recommends that the ACT Community Services Directorate form a dedicated implementation team with skills in project management, community engagement, and outcomes measurement to plan, engage community and implement recommendations in both Child and Youth Protection Services and ACT Together. Staffing of such a team must include Aboriginal and Torres Strait Islander people. This implementation team would provide quarterly reports to the Implementation Oversight Committee.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The OBOW Implementation Team continues to work closely with Directorates on the implementation of the OBOW recommendations. The team has undertaken a leading role in the coordination of quarterly and six-monthly reports, in addition to monitoring the practice changes being undertaken by Directorates. The Implementation Team works closely with the OBOW Secretariat and meets regularly with senior executives and the Minister.

The Implementation Team is supporting the OBOWIOC as they consider changes to their governance arrangements.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The Implementation Team will continue to support Directorates, the OBOWIOC and OBOW Secretariat. The Implementation Team will work alongside the OBOWIOC, Secretariat and Directorates in the new year to implement the proposed governance changes.

RECOMMENDATION 25

Data collection and analysis

The Steering Committee recommends the Directorate establish formal key performance indicators in collaboration with the Implementation Oversight Committee and the Aboriginal and Torres Strait Islander community, for measuring the reduction of children entering the system, improvements in their experience in the system, and the provision of pathways to restoration and exiting care. These key performance indicators can then be formally and independently evaluated from this baseline in five years.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

The various teams within the Community Services Directorate have continued to work with the Implementation team and the OBOWIOC in reviewing and enhancing the Data Report. This report is delivered monthly to both the Minister and OBOWIOC.

Key features for the previous six months include refining the presentation of the report, including improving accessibility and readability of the report, and clarifying terms, where required. New measures are also being designed in response to queries from the Minister and OBOWIOC which will continue to be developed and tested into the new year.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The Implementation team will continue to work with the Directorates and the OBOWIOC to enhance the report to meet the ongoing requirements. A scheduled meeting will be established with the Community Services Directorate and the OBOWIOC to further embed the Data Report into the recommendation monitoring process.

Several proposed amendments to the measures within the report were agreed to by the OBOWIOC in early February 2024. The changes to the measures will continue to improve the report and the information it provides to both the Minister and the OBOWIOC. The aim for the coming months is to move into a maintenance phase, with fewer changes to the report going forward.

RECOMMENDATION 26(A)

Adoption and permanency arrangements

The Steering Committee recommends that following the community consultations that have occurred, the Directorate move to formalise the policy position in legislation and remove the possibility for Aboriginal and Torres Strait Islander children being adopted.

Presented by the OBOW Steering Committee December 2019. Agreed in principle by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

Noting this considerable active consultation work that was required with SNAICC regarding the proposed changes to the CYP Act, it was agreed to postpone the advice from SNAICC on adoption and permanency arrangements to ensure the full scope of proposed change to legislation could be considered and inform this work.

SNAICC provided significant amounts of input to the Stage 2 Children and Young People Act legislative amendments, which are relevant to the advice they will deliver in relation to this recommendation.

The postponement will ensure the upcoming advice aligns with the ongoing development and refinement of amendments that are already in progress from previous recommendations.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The Community Services Directorate is working with SNAICC to finalise their report by June 2024. The finalised report will be used to further refine the proposed Children and Young People Act legislative amendments and support best practice policy development.

RECOMMENDATION 26(B)

Enduring Parental Responsibility orders

The Steering Committee recommend that EPR (Enduring Parental Responsibility) only be available for Aboriginal and Torres Strait Islander kin and carers, and this be clarified in a formal policy position from the Directorate.

Presented by the OBOW Steering Committee December 2019. Noted by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

SNAICC have agreed to include advice on EPR to CSD when they report on recommendation 26 (A). SNAICC provided significant amounts of input to the Stage 2 Children and Young People Act legislative amendments, which are relevant to the advice they will deliver in relation to this recommendation, and therefore it was decided to delay their advice.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

The Community Services Directorate is working with SNAICC to finalise their report by mid-2024. The finalised report will be utilised to further refine the proposed Children and Young People Act legislative amendments.

RECOMMENDATION 27

Active referrals and follow-up

The Steering Committee recommend that when referring a child or family to a program or service and where the family agrees, the case worker accompany the family to the new service to introduce them onto the service. The case worker should ensure that families have practical supports in place to access these services. The case worker must then monitor the delivery of services to ensure that they are of a high quality, appropriate and delivered to families.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

During this quarter CYF progressed the initial development of the implementation framework that will support and strengthen practice required to continue to meet a number of practice related recommendations (including recommendation 3, 16, 27, 28) and provide a more clinically informed position about how to action the support response in context to individual family circumstances.

The Practice Implementation plan is a key initiative being embedded in the new CYF Division Structure and roll out of the new Practice Framework and Standards, practice guidance and resources.

CYF is looking at designing a systems approach to better support the quality casework practice uplift for all aspect of casework. Currently this is managed through case-by-case discussions and practice supervision or case review when matters are raised with CYF.

IN THE NEXT 6 MONTHS – JANUARY-JUNE 2024

As part of its reform program, CYF will continue to work with the OBOWIOC to design an approach to monitoring quality across multiple practice-focused recommendations.

RECOMMENDATION 28

Family connection practices

The Steering Committee recommend that family connection, otherwise referred to as contact, must be revisited for each child currently subject to an interim, final short term, or final long-term order. Family connection arrangements must be aligned to contemporary, evidence-based practice to support growth of resilient family relationships. Family connection should be frequent, facilitate high quality relationship building and be in natural settings to facilitate the growth and maintenance of family relationships.

Presented by the OBOW Steering Committee December 2019. Agreed by the ACT Government July 2020.

ACTIVITIES JULY-DECEMBER 2023

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