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

ELEVENTH ASSEMBLY

Tabling Statement

**Government Response to the recommendations from the *Our Booris, Our Way Review* –
Implementation Update – January to December 2024**

**Presented by
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Mr Speaker, I am pleased to present the eighth progress report for the ACT Government Response to the recommendations from the 2017 *Our Booris, Our Way* Review.

I would like to acknowledge the continued dedication of the Our Booris, Our Way Implementation Oversight Committee, whose unwavering commitment and willingness to share their knowledge and experience continues to drive the Government to improve the care and protection system and reduce the overrepresentation of Aboriginal and Torres Strait Islander children and young people in out of home care. They have worked alongside the ACT Government and some of their members have been with us on this journey since 2017.

As of 31 December 2024, 238 Aboriginal and Torres Strait Islander children were living in out of home care, comprising 31 per cent of the total children and young people in out of home care. This over-representation continues to be unacceptable and addressing it remains a high priority for the Government.

But it is also important to recognise that this number 238 represents an 8 per cent reduction in Aboriginal and Torres Strait Islander children and young people in care since 31 December 2017 (n=262).

Within this, there has been a 27 per cent reduction in the number of Aboriginal and Torres Strait Islander children and young people on long-term orders with the Director-General holding parental responsibility. By contrast, there has been an increase of approximately 72 per cent in the number of First Nations children and young people on third party orders – that is, in stable permanent homes where their carers hold full parental responsibility.

While we have a long way to go to address over-representation, these figures remind us that progress is not only possible but is being made because of the hard work of our Aboriginal and Torres Strait Islander partners.

The Government is committed to implementing the recommendations of the Our Booris, Our Way review in full, and the ongoing collaboration with the Committee ensures we remain accountable to this commitment and the spirit of the review. This work also aligns with the Government's commitments to the *ACT 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 2021-31.

All these agreements recognise the importance of supporting the strength of Aboriginal and Torres Strait Islander families as one of the keys to addressing intergenerational disadvantage and the statistical gap in outcomes.

The voices of people with lived experience are central to this work and allow us to understand the wider historical and structural issues that continue to affect Aboriginal and Torres Strait Islander people today.

The impact of the work done to reform the out of home care system is evident through the commencement of the ACT Aboriginal and Torres Strait Islander Children and Young People Commissioner; and comprehensive changes to the Children and Young people Act, in particular embedding the Aboriginal and Torres Strait Islander Child Placement Principle into that Act.

The ACT's results in the 2024 Family Matters Report are a recent marker of the drive for change that has been led by the Our Booris Our Way Implementation Oversight committee and key ACT Aboriginal and Torres Strait Islander leaders working in this space.

The ACT is one of only two jurisdictions that have successfully reduced the rate of over-representation of Aboriginal and Torres Strait Islander children and young people in out-of-home care.

The rate in the ACT has decreased from 14 in 2023 to 11.7, driven by a significant drop in out-of-home care admission rates for these children (from 13.9 to 5.5 per 1000). This is the lowest rate for the ACT since 2016.

In achieving this, there have been challenges in working together to find a common language, to develop a common understanding, to talk and to genuinely listen to each other.

I know this has been hard and, at times, slow and challenging for both parties. That said, we know this generational work. We may be seeing some positive results but we have more work to do to make real and enduring change. While we continue to work closely with the Committee on much needed reforms within the child and youth protection system, we also acknowledge we need to put more energy and investment into early support. This is a key recommendation from the *Our Booris, Our Way* Final Report. By supporting families early, before they enter crisis, and before they find themselves at risk, we can change their life trajectory and decrease chances of interaction with the child protection system.

I am keen to share some important achievements that have been made in this reporting period. These changes contribute to the comprehensive and deep changes we are making right across the child and youth protection system. Changes that include legislation, policy and practice and service provision.

The ACT Government has made a commitment to modernise the Children and Young People Act to establish a responsive, high-functioning legislative framework for the ACT's child protection and family support system. This

ongoing reform is part of *Next Steps for Our Kids 2022-2030* – the ACT’s strategy for strengthening families and keeping children and young people safe. It will also address recommendations from key reviews and reports regarding the ACT’s child protection and family support system that have called for legislative change, including recommendation 5 from the Our Booris Our Way final report.

The changes to the Children and Young People Act prioritise the safety, welfare and wellbeing of children and young people, preserve families, and provide earlier support to families in need.

Importantly, the first stage of amendments to the Act took steps towards fully embedding the Aboriginal and Torres Strait Islander Child Placement Principle in legislation, which is a direct response to a key Our Booris, Our Way recommendation.

Additionally, during this reporting period there has been progress in the second stage of the modernisation of the Act, which resulted in the Children and Young People Amendment Bill 2024 (No. 2), introduced by Rachel Stephen-Smith in the March 2024. Stage 2 was passed on 26 June 2024.

These changes to the Act provide a foundation for strong and enduring positive change in our child protection system. Our partnership with ACT Aboriginal and Torres Strait Islander leaders was vital to making legislative change.

The Aboriginal Service Development Branch is supporting the development of the ACT’s Aboriginal Community Controlled sector in partnership with the community. In this reporting period, the branch has supported new, emerging, and established Aboriginal Community Controlled Organisations to engage in the procurement of out-of-home care services.

This includes work with Yerrabi Yurwang Child and Family Aboriginal Corporation to support it to become a registered Care and Protection Organisation. The Aboriginal Service Development Branch has also worked closely with interested Aboriginal Community Controlled Organisations on their application process to deliver various services to be considered as part of the new Children, Young People and Families Panel.

Additionally, in this period the First Nations Family Support Team has provided culturally safe and informed support to over 200 families. This team is also continuing to develop a new practice framework led by the Aboriginal and Torres Strait Islander Child Placement Principle.

Commencing in the first half of 2023, a Care and Protection Legal Advocacy Service is being delivered by the ACT/NSW Aboriginal Legal Services to provide legal and advocacy services for Aboriginal and Torres Strait Islander families coming into contact with the ACT's child and youth protection system. During this reporting period the service has supported 129 clients, including 75 matters involving final orders, removals or variations and 22 clients who were provided early assistance to access services.

To strengthen the support of Aboriginal and Torres Strait Islander kinship carers, a First Nations Kinship Liaison Officer has commenced and is providing targeted and culturally informed support for any kinship carer, regardless of where they are in their caring journey.

Finally, I want to reiterate our ongoing commitment to being guided by the Our Booris, Our Way Implementation Oversight Committee, along with other representatives from the Aboriginal and Torres Strait Islander community. Together, we are dedicated to implementing the necessary systemic reforms to reduce the involvement of Aboriginal and Torres Strait Islander children in the child protection system, enhance their experiences in out-of-home care,

and improve pathways to family reunification. I thank members of the Committee for their personal commitment to the ACT Aboriginal and Torres Strait Islander community, particularly children and families.

Mr Speaker, I commend the Implementation Update to the Our Booris Our Way review to the Assembly.

Thank you for the opportunity to share this update with you on the progress of the *Our Booris, Our Way* recommendations.

END.