

2022

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

TABLING STATEMENT

**OUR BOORIS, OUR WAY REVIEW
SIX MONTHLY UPDATE (JULY 2021 - DECEMBER 2021) and
A STEP UP FOR OUR KIDS SNAPSHOT REPORT
A presentation of data covering 1 July 2017 to 31 December 2021**

**Presented by
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Minister for Families and Community Services
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Madam Speaker, I am pleased to present the third combined six-monthly progress reports for the:

- Government Response to the recommendations from the *Our Booris, Our Way* Review – Six-monthly Update; and
- *A Step Up for Our Kids* Out of Home Care Strategy 2015-2020 Snapshot Report.

Over the past six months the Government has been working closely with the *Our Booris, Our Way* Implementation Committee to progress key recommendations of the *Our Booris, Our Way* Review.

The Committee has continued to provide valuable insights into how we can improve the way in which government engages with Aboriginal and Torres Strait Islander families in the child protection system, and most importantly how government can provide early support for vulnerable families at risk of entering the child protection system.

It is only by listening to the voices of Aboriginal and Torres Strait Islander people that we can break the cycle of intergenerational disadvantage. We must continue to focus on ensuring children and young people can stay safe at home wherever possible and remain connected to culture and community throughout their life.

In the 2020-21 Budget, the Government invested almost \$4.9 million to implement *Our Booris, Our Way*, bringing the total investment from 2018-19 to 2023-24 to \$15.7 million. This funding will help drive systemic change to ensure at-risk Aboriginal and Torres Strait Islander children and young people in the ACT are safe and able to thrive.

Today's report provides an update to the ACT community on the progress being made against each recommendation. This report is the third

six-monthly update and outlines activities and achievements from 1 July to 31 December 2021.

Some of the key activities during this period include:

- Consultation undertaken by the Jumbunna Institute on the design of the Aboriginal and Torres Strait Islander Children's commissioner, including community dialogue sessions and individual interviews with Aboriginal and Torres Strait Islander community organisations and individuals in the ACT and Wreck Bay.
- Additional to this consultation, in December 2021 the Justice and Community Safety Directorate began recruitment for an interim Aboriginal and Torres Strait Islander Children and Families Advocate role which will operate while co-design for the Commissioner is finalised and the process of establishing this position is completed.
- The Government has engaged SNAICC to consult with the Aboriginal and Torres Strait Islander community on how to best enact the Aboriginal and Torres Strait Islander Child Placement Principle in the *Children and Young People Act 2008*. I look forward to providing the Assembly with an update on this consultation process in the next six-monthly report.
- We have been working closely with the Implementation Oversight Committee on the expansion of the Aboriginal Controlled Community Organisation sector in the ACT, with a particular focus on services that can be delivered to children and families involved or at risk of involvement with the child protection system. Existing community controlled organisations are also engaged in this work.
- Senior executives from Child and Youth Protection Services continue to meet monthly with the Implementation Oversight Committee to provide updates on the review of policies and practices to better support

Aboriginal and Torres Strait Islander families. Over the last six months this has included:

- A strong focus on ensuring fathers whose children are in care are respectfully engaged and involved in decisions around their children.
- Better family finding and recording of family and community ties to ensure that children in care remain connected to family, culture and community.
- Improving the quality of Cultural Plans through a new Cultural Panel that meets regularly to review and provide recommendations about Cultural Plans.
- A continued focus on ensuring the Aboriginal and Torres Strait Islander Child Placement Principle is embedded, applied and implemented in all CYPS policies and practices.
- A Cross Directorate Committee has been working to identify gaps in service delivery and develop options to enhance early support capacity for Aboriginal and Torres Strait Islander families in the areas of drug and alcohol misuse, family violence, mental health, trauma counselling and cultural healing.

I acknowledge that some recommendations are taking longer than others to progress and the data continues to tell a story of overrepresentation of Aboriginal and Torres Strait Islander children in care.

However, I am encouraged by the good results we are seeing from Family Functioning Therapy and Family Group Conferencing and the greater proportion of Aboriginal and Torres Strait Islander children who are placed with kinship carers.

I would like to thank the members of the *Our Booris, Our Way* Implementation Oversight Committee who have continued to share their knowledge,

experience and wisdom to inform this ongoing work, while holding us to account on our progress.

We will continue to work closely with the Committee to strive for positive, long-term changes for the Aboriginal and Torres Strait islander community in the ACT.

Madam Speaker, the six-monthly progress report on *A Step Up for Our Kids*, the Snapshot Report, has also been tabled today.

As Members would be aware, the six-monthly progress report on *A Step Up for Our Kids* has been presented to the Legislative Assembly since April 2018, with the most recent *Snapshot Report* tabled in November 2021.

In considering the *Snapshot Report*, it is important to note the data is internal operational data that can be updated and changed between reporting periods, and caution should be exercised when using and interpreting data in this Report and comparing between reporting periods.

This Snapshot Report continues to provide insights into the ongoing positive impacts of the *Step Up for Our Kids* reforms as well as the continued challenges in out of home care.

In the first half of 2021-22, 73 children and young people entered out of home care and 68 exited out of home care. Whilst the number entering out home care has increased compared to 2018-19, 2019-20 and 2020-21, the number of children and young people exiting care has also increased, from 2018-19 and 2019-20 and is one less than those leaving care in 2020-21, resulting in the total number of children and young people living in out of home care remaining steady.

The total number of new entries into care for the first two quarters of the 2021-22 financial year is 46, which is lower than at the same point in the past

two financial years. However, the number of children and young people returning to care has increased. It is still too early to identify if any of these outcomes may be attributable to the impact of the COVID-19 public health emergency or other factors.

In the first half of 2021-22, 16 Aboriginal and Torres Strait Islander children and young people exited out of home care, constituting 24 per cent of all children and young people exiting out of home care during the that period.

Concerningly, 33 per cent of children and young people entering care were Aboriginal and Torres Strait Islander – the highest proportion at this year-to-date point since 2017-18 – driven by a significant increase and high proportion of children entering care in the first quarter of the financial year.

This represents 24 Aboriginal and Torres Strait Islander children and young people entered care in the first half of 2021-22. This compares with 20 in the same period in 2020-21, 11 In 2019-20, 8 in 2018-19, and 30 in 2017-18. This remains an unacceptable level of over-representation and highlights the need for continued work.

At the end of December 2021, 31 per cent of children and young people living in out of home care on long-term orders were Aboriginal and Torres Strait Islander. This is lower than the same time in the 2019-20 and 2020-21 financial years and the same rate as 2017-18 and 2018-19 at the same point in time. However, it is higher than at the end of the 2020-21 financial year, when 30 per cent of children and young people living in out of home care subject to long term care orders were Aboriginal and Torres Strait Islander.

At 31 December 2021, 12 per cent of carer households with a current placement have at least one carer who identifies as Aboriginal or Torres Strait Islander.

The report indicates that the number of Aboriginal and Torres Strait Islander children in the care of the Director-General with a cultural care plan in place

has again declined. As of 30 December 2021, 168 Aboriginal and Torres Strait Islander children had a cultural plan in place (78 per cent) compared to 191 (86 per cent) at the same time the previous year.

There have been changes in the way in which plans are reviewed and recorded which may account for some of the data variations across the year.

Throughout 2020-21, Children Youth and Families has undertaken significant detailed analysis of the processes surrounding Cultural Plans and the way in which these processes impact the quality of cultural planning for young people in out of home care with a focus on improving quality.

In August 2021, the Children Youth and Families Cultural Panel commenced operation with all Cultural Plans being reviewed by the panel. The timeline for commencement of this panel was impacted by COVID-19 service impacts and the availability of suitably qualified individuals. The focus of the panel is the quality of Cultural Plans, ensuring that plans tell the family's story of their Aboriginality, that all sources of the plan are documented and ensure connection, participation, partnership and placement. This has delayed some finalisation processes but improved the quality of the outcome.

In parallel, there has been a review of how staff record Cultural Plans on the Children and Young People Record Information System (CYRIS) resulting in a changed process and plans for further improvements.

Data from the Snapshot report shows that placement types within out of home care continue to remain relatively stable, with most children and young people in kinship care placements as of 30 December 2021.

We continue to support children, young people and their families through prevention services with a renewed focus on supporting families with complex needs to prevent entry and/or re-entry to care.

In the first half of 2020-21, 50 children and young people received a service from Uniting Preservation Services. In 2021-22, this has increased to 62 over the same period. Of these, 19 were Aboriginal or Torres Strait Islander.

For Aboriginal and Torres Strait Islander children and young people who have received Uniting Preservation Services since 2015-16, 89 per cent had not entered out of home care three months after commencement of service and 64 per cent had not entered out of home care 24 months after commencement of service.

In the first half of 2021-22, 16 children and young people who were in out of home care became subject to a finalised Enduring Parental Responsibility or Adoption Order – a significant increase compared with the year-to-date figure for the last two years. As of 30 December 2021 there are 124 children and young people with a permanency order.

As shown by the figures reported in the Snapshot Report, over-representation of Aboriginal and Torres Strait Islander children and young people in out of home care continues to require a focused effort to reduce entry into care.

Equally important is the need to ensure that Aboriginal and Torres Strait Islander children and young people remain connected to their family, kin and Country. The Community Services Directorate Cultural Review Panel continues to meet fortnightly to review Cultural Plans with any outstanding plans referred to the Panel to ensure that cultural needs can be incorporated into individual case plans.

Work is being undertaken by the Directorate to enhance reporting capabilities and improve automated data counting rules in record management system known as the Child and Youth Record Information System or CYRIS.

This continual refinement of data is pivotal in the provision of a responsive service system and working to eliminate the over-representation of Aboriginal and Torres Strait Islander children and young people in care.

[ENDS]