

2022

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

**OUR BOORIS, OUR WAY REVIEW
SIX MONTHLY UPDATE (JULY 2021 – DECEMBER 2021)**

**Presented by
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Minister for Families and Community Services
May 2022**

OUR BOORIS, OUR WAY REVIEW

SIX-MONTHLY UPDATE

(JULY 2021 – DECEMBER 2021)



ACT
Government

Community Services



The Community Services Directorate acknowledges the traditional custodians of the land, the Ngunnawal people. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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INTRODUCTION

The Our Booris Our Way Review

In 2017, the Government announced 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, *Our Booris, Our Way* was a wholly 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 (totalling 36 recommendations) to government, iteratively over a two-year period with the final report presented to government in December 2019.

The Government has made a firm commitment to fully implement the 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 funding in the 2020-21 Budget bringing the overall investment to \$15.7 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.

Since the last six-monthly report was tabled in the Assembly in November 2021, the ACT Government has continued to be guided by the *Our Booris, Our Way* Implementation Oversight Committee in responding to each recommendation.

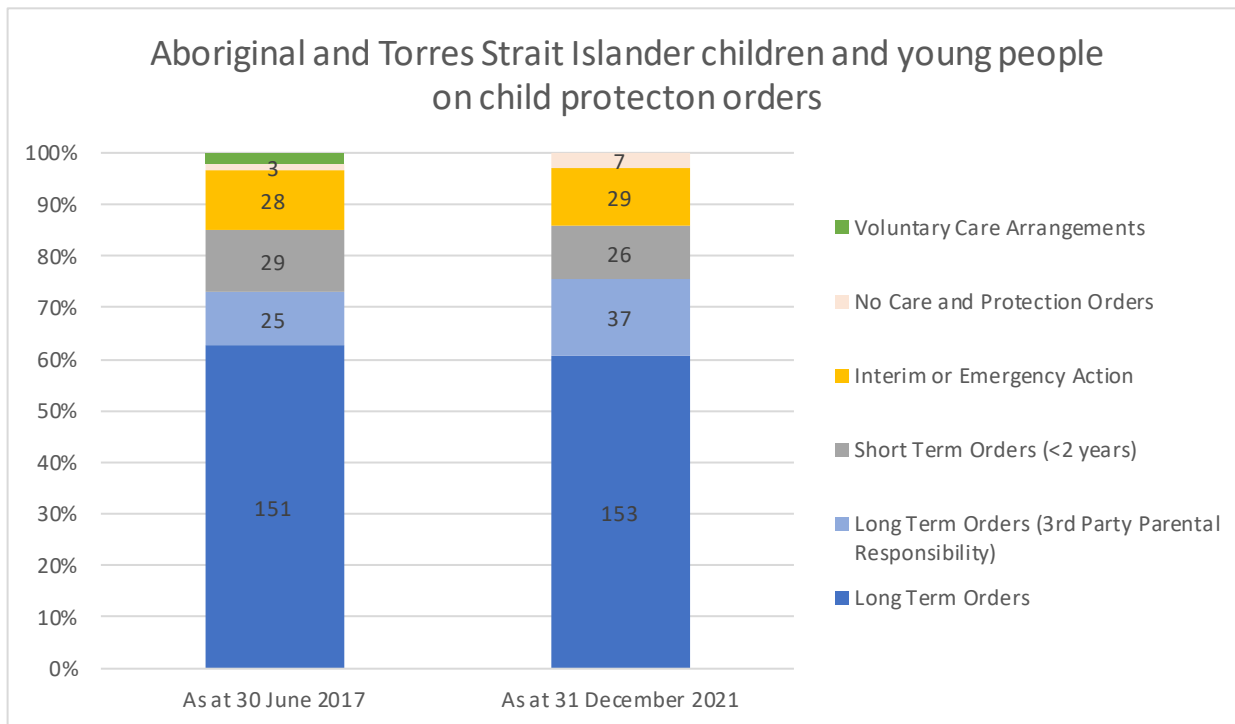
This is the third progress report covering the period July to December 2021. As with previous reports each recommendation provides an update on key activities and outcomes achieved during the period. Under some recommendations we are able to track progress through our administrative data (CYRIS) or through the Report on Government Services. Where there is data to track implementation of recommendations these are included under a 'How we are Tracking' heading.

AN OVERALL PICTURE OF ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN IN CHILD PROTECTION

As at 31 December 2021, there were 252 Aboriginal and Torres Strait Islander children and young people on Child Protection orders (see Figure 1). Of these:

- 153 children and young people on Long-term Orders (with care residing with the Director General)
- 37 children and young people on Long-term Orders (3rd Party Parental Responsibility)
- 26 children and young people on Short-term orders (<2 years order time)
- 29 children and young people on Interim Orders or Emergency Actions
- 7 children and young people had no care and protection orders in place
- There were no children and young people on a Voluntary Care Agreement

Figure 1 – Aboriginal and Torres Strait Islander children and young people on Child Protection orders at 30 June 2017 and 31 December 2021



Data Source: Data taken from Step Up Snapshot Q2 2021/22

As at 31 December 2021, there were 252 Aboriginal and Torres Strait Islander children and young people in an out of home care placement (see Figure 2). Of these

- 147 children and young people were in a kinship care placement
- 63 children and young people were in a foster care placement
- 37 children and young people were in Enduring Parental Responsibility (EPR) placements
- 5 children and young people were in residential placements.

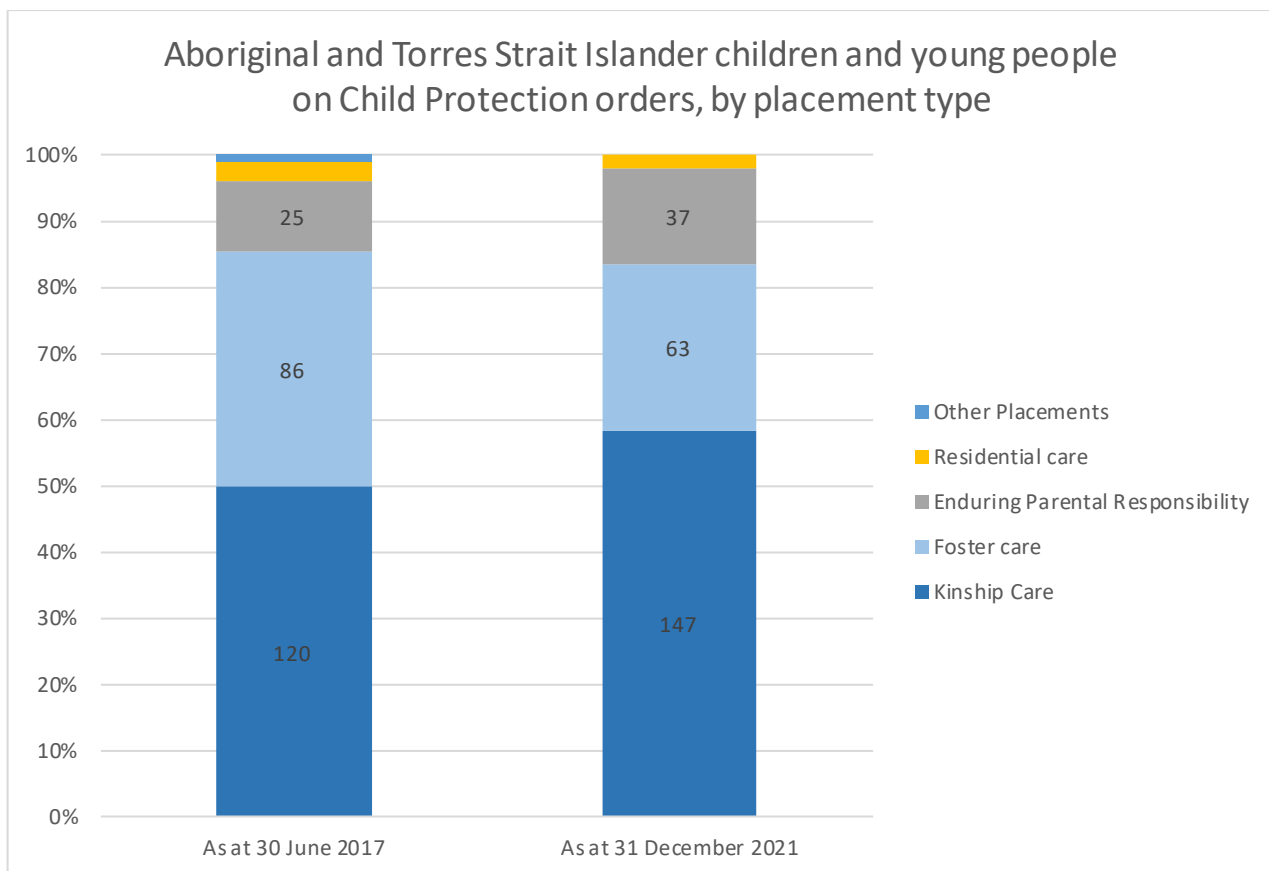
Of the 5 Aboriginal and Torres Strait Islander children and young people in residential care, none were new entries into out of home care

Figure 2 – Aboriginal and Torres Strait Islander children and young people on Child Protection orders, by placement type as at 31 December 2021

| | As at 30 June 2017 | | As at 31 December 2021 | |
|----------------------------------|--------------------|-----|------------------------|-----|
| On child protection orders | 241 | | 252 | |
| Kinship Care | 120 | 50% | 147 | 58% |
| Foster care | 86 | 36% | 63 | 25% |
| Enduring Parental Responsibility | 25 | 10% | 37 | 15% |
| Residential care | 7 | 3% | 5 | 2% |
| Other Placements | 3 | 1% | 0 | 0% |

Data Source: Data taken from Step Up Snapshot Q2 2021/22

Figure 3 – Aboriginal and Torres Strait Islander children and young people on Child Protection orders at 30 June 2017 and 31 December 2021



Data Source: Data taken from Step Up Snapshot Q2 2021/22

RECOMMENDATION 1 (AUGUST 2018)

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.

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

COMMUNITY DIRECTORATE RESPONSE

AGREED: 22 August 2018

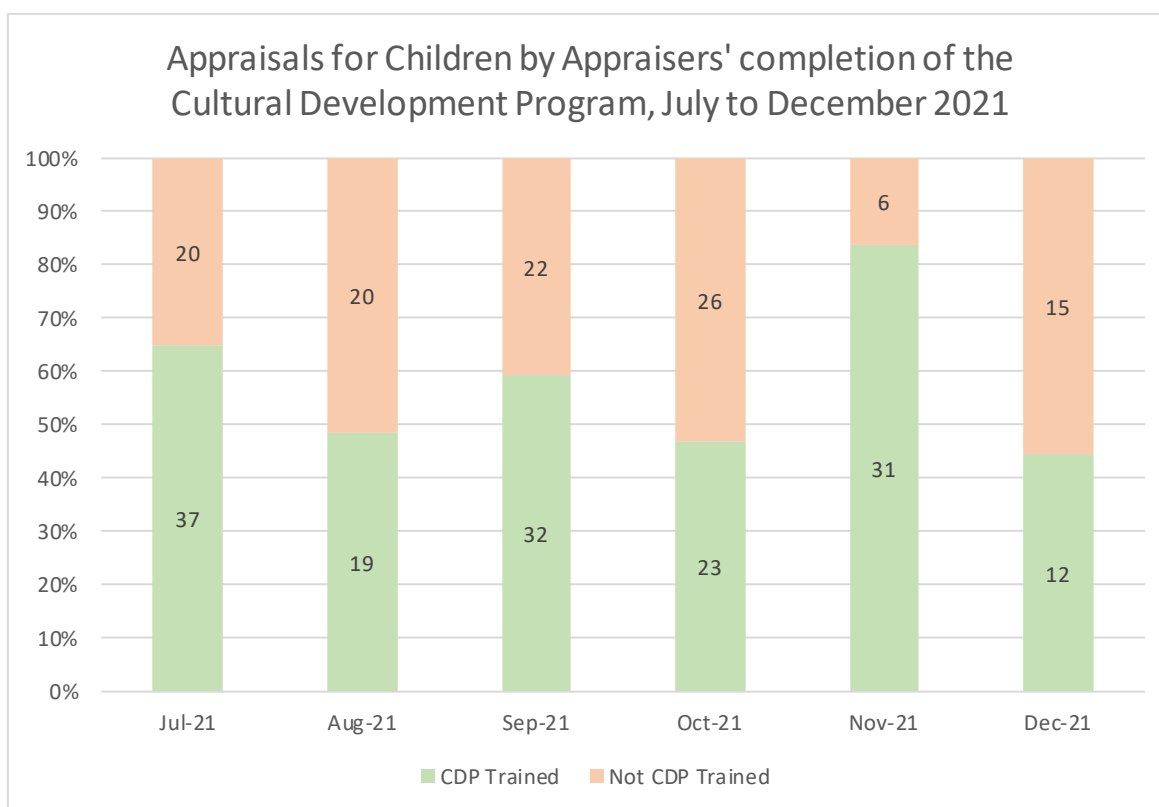
The Community Services Directorate (CSD) is committed to increasing the cultural proficiency of all staff within the Directorate including CYPS. CYPS will consider the cultural proficiency of staff when allocating families involving Aboriginal and Torres Strait Islander children, with guidance from the Cultural Services Team (CST), within the current CYPS structure.

ACTIVITIES JULY-DECEMBER 2021

- CYPS is continuing to deliver a range of programs that assist staff to reflect on their practice, improve their knowledge and understanding of Aboriginal culture, and improve the way they work with Aboriginal and Torres Strait Islander families.
- CYPS have focused on implementing the recommendations from an internal review in June 2021 which identified a number of activities to increase the proportion of staff completing the full suite of modules under the Cultural Development Program. Over the past 6 months:
 - There has been increased focus to provide more training opportunities with an additional block training session delivered over four days between 8 and 12 November 2021. During this cohort, staff members from Bimberi Youth Justice Centre attended the sessions as well.
 - Additional stand-alone sessions were provided and prioritised to existing staff who had 1 - 2 modules outstanding.
 - A modified orientation program was offered to all new starters to ensure they were provided with essential cultural awareness training within the first 6 months
 - CYPS worked with the providers of the 'Walking on Country' module to develop an-online version of the module to ensure staff could undertake this session during covid restrictions.

- The allocation process has been refreshed to readily identify all staff who had completed the Cultural Development Program at the time of allocation to enable managers to make informed decisions about who is best placed to undertake an appraisal for an Aboriginal and Torres Strait Islander family.
- Ongoing verbal and written communication undertaken over the quarter with Executive and leadership teams to reinforce the importance of completing the Cultural Development Program and ensure that attendance is prioritised for staff.

Figure 4 – Appraisals by children by Appraisals completion of the Cultural Development program, July to December 2021



Data Source: Internal CSD Reporting

HOW ARE WE TRACKING?

Between 1 July to 31 December 2021, 119 Aboriginal and Torres Strait Islander families (263 children and young people) had a completed appraisal.

There has been a steady increase in the average quarterly appraisals completed by staff who have completed the Cultural Development Program over the past 12 months:

- Jan 21 – Mar 21: 38%
- Apr 21 - Jun 21: 46%
- Jul 21 - Sep 21: 58%
- Oct 21 - Dec 21: 58%

Table 1 – Allocations to Case Managers who had completed the Cultural Development Program (CDP)

| Month | Jul | Aug | Sept | Oct | Nov | Dec | Total Assessments July - December 2021 |
|--------------------------|-----------|-----------|-----------|-----------|-----------|-----------|---|
| CDP Trained | 37 | 19 | 32 | 23 | 31 | 12 | 154 |
| Not CDP Trained | 20 | 20 | 22 | 26 | 6 | 15 | 109 |
| Total Children per month | 57 | 39 | 54 | 49 | 37 | 27 | 263 |

IN THE NEXT 6 MONTHS

- Continued prioritisation of staff completing all 6 modules of the Cultural Development Program
- CSD will continue to work with the Our Booris Our Way Implementation Oversight Committee on a strengthened approach to case allocations to achieve the overarching intent of ensuring culturally proficient practitioners are allocated Aboriginal and Torres Strait Islander cases.

RECOMMENDATION 2 (JUNE 2018)

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 Principle (CPP) within their practice.

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

COMMUNITY DIRECTORATE RESPONSE

AGREED: 22 August 2018

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

ACTIVITIES JULY – DECEMBER 2021

- SNAICC Training on the Child Placement Principle is a core component of the Cultural Development Program and is mandatory training for all CYPS staff and CYPS leadership to complete in the first twelve months of employment.
- CYPS has formalised SNAICC training as a requirement of the Child and Youth Protection Professional (CYPP) grade 1-2 competency framework.
- CYPS continues to undertake regular reporting and monitoring for completion of SNAICC training. All training completion dates are updated and monitored centrally and shared with operational managers each quarter.

HOW ARE WE TRACKING

As at 31 December 2021, there has been an increase from the previous 6 monthly report from 46% to 67% of eligible staff have undertaken the SNAICC Training on the Child Placement Principle.

IN THE NEXT 6 MONTHS

- CYPS will continue to work in partnership with SNAICC to deliver this core training to all CYPS staff who work directly with Aboriginal and Torres Strait Islander families.

RECOMMENDATION 3 (JUNE 2018)

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 Principle are explicitly designed into policy and practice. Children must be valued in a process that holds cultural rights as central to their identity and safety.

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

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: 22 August 2018

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

ACTIVITIES JULY – DECEMBER 2021

- Implemented the Operational Policy Quality and Continuous Improvement plan that schedules each quarter CYPS reviews and updates to a number of existing policies and procedures to ensure the Aboriginal and Torres Strait Islander Child Placement Principle are embedded, applied and defined in policy and practice.
- Each review involves consultation with a number of internal and external stakeholders before being finalised and available to all staff. CYPS also works closely with the Ngura Naraganabang Advisory Group to ensure all updates include easy English guides for parents and families.
- The following policies and practice guides were updated between July – December 2021
 - Linking Panel Procedure: The Linking Panel considers placement and permanency options for children in care and makes recommendations which promote long term stability.
 - Family Led Decision Making information sheet: Outlines the steps CYPS staff may take to actively support families to keep their children safe at home. This procedure seeks to operationalise family led decision making within the context of a voluntary Family Preservation engagement with CYPS.
 - Appraisals Information sheet: Outlines the process for determining whether an Appraisal is required, developing an Appraisal Action Plan, implementing the plan through completing an Appraisal and finalising an Appraisal.

- CYPS have developed plain English and easy English information guides for parents, to assist them in navigating the child protection and youth justice systems.

IN THE NEXT SIX MONTHS

- CYPS will continue to identify and review policies and procedures in accordance with the document review schedule. These updated documents are shared with the Our Booris Our Way Implementation Oversight Committee each quarter.

RECOMMENDATION 4 (JUNE 2018)

Universal access to Family Group Conferencing

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

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

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: 22 August 2018

The ACT Government committed \$1.44 million in funding over four years in the 2018-19 Budget for the ongoing delivery of Family Group Conferencing (FGC), to ensure that Aboriginal and Torres Strait Islander families can be supported to make decisions to keep their children safe, strong and connected to their family and culture.

ACTIVITIES JULY – DECEMBER 2021

- The number of referrals that converted to actual Family Group Conferences has been impacted significantly by the pandemic and lockdown in 2021. CYPS continue to focus on strengthening referrals pathways, increasing knowledge of the program and simplifying internal forms and processes.
- A workshop was held in December 2021 consisting of the Family Group Conferencing Team, CYPS Operational staff that work with young people, and staff for Bimberi Youth Justice Centre to improve opportunities for engagement in FGC for young people.
- CYPS has worked closely with ACT Together to support referral pathways to Family Group Conferencing.
- CYPS has automated weekly reporting of Aboriginal and Torres Strait Islander children known to CYPS to prompt referrals to Family Group conferencing.
- Over the 6-month period, Curijo delivered Family Group Conferencing training to 70 staff.

HOW ARE WE TRACKING?

From the beginning of the Family Group Conferencing Program (November 2017) to 31 December 2021, there have been 51 families involved in a Family Group Conference, involving 112 children and young people.

It is important to note that Family Group Conferencing is a voluntary process and requires agreement from the family to engage. A Family Group Conference is not a process that can be immediately set up in response to a crisis. It requires good planning and communication with all family members. It requires the conference facilitator to establish a process that allows the contribution of all family members so the best family plan can be developed to achieve the safety of a child.

IN THE NEXT 6 MONTHS

- CYPS will be developing a community education campaign to raise awareness of the benefits of Family Group Conferencing. The campaign will specifically target Aboriginal and Torres Strait Islander families.

The Family Group Conferencing Team have faced several challenges in relation to the impact of Covid and Covid restrictions when undertaking FGC preparation work and in facilitating Family Group Conferences over 2021.

Undertaking FGC preparation work and the facilitation of conferences, the FGC Team experienced several challenges as a direct impact of Covid restrictions. The inability to connect face to face with children, parents and extended family saw the Team seek out and pursue alternative modes of communication. Significant obstacles were experienced during the facilitation of conferences. Covid restrictions directly impacted venue hire and brought additional challenges pertaining to teleconferencing.

The FGC Team successfully problem solved all presenting issues impacting their work due to Covid and successfully held two FGC's, both producing robust and successful Family Plans.

RECOMMENDATION 5 (DECEMBER 2018)

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

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.

This legislative change is to recognise the importance of each element of the principle to the Aboriginal and Torres Strait Islander community and their role in changing the practices around child protection that disproportionately impact our community.

Legislative change will expedite extensive policy and practice revision and facilitate subsequent performance monitoring and measurement of achievement against these legislative parameters giving additional transparency to the practices and decisions of the Directorate.

Acceptance of this recommendation would bring the ACT legislation into a more contemporary practice in alignment with the most recent Family Matters report and also similar to the jurisdictions that have made significant changes to their child protection legislation in Queensland and Victoria.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

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

ACTIVITIES JULY – DECEMBER 2021

- CSD commenced the procurement for a consultant to conduct culturally appropriate forums and other engagement approaches for Aboriginal and Torres Strait Islander people in the ACT (including Wreck Bay) and for Aboriginal and Torres Strait Islander CYPS staff, and members of the community.
- Following a tender process, SNAICC National Voice for Our Children (SNAICC) was engaged to conduct the consultation process with the Aboriginal and Torres Strait Islander community in the ACT and Wreck Bay.

IN THE NEXT 6 MONTHS

- SNAICC will undertake consultations with the ACT and Wreck Bay Aboriginal and Torres Strait Islander community in the first half of 2022.

- Drawing on the outcome of these consultations, SNAICC will provide a Final Report to government detailing advice on how to best deliver on the intent of the recommendation. The Final Report is expected in July 2022.

RECOMMENDATION 6 (DECEMBER 2018)

Feasibility study Aboriginal Child Care Association

The ACT needs an organisation that can fulfil the role of advocate, service integrator and work to respect and preserve the rights of Aboriginal and Torres Strait Islander children, young people and families in all services delivered in the ACT.

In the current service ecosystem, the Aboriginal Community Controlled Organisations fulfil the role of providing services premised on self-determination, cultural respect and safety. This role is predominantly conducted on an unfunded basis.

We recommend that a comprehensive analysis of an Aboriginal Child Care Association is conducted.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED IN PRINCIPLE: May 2019

AGREED: 2020

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

ACTIVITIES JULY – DECEMBER JUNE 2021

- CSD has been working closely with the Our Booris Our Way Implementation Oversight Committee on establishing an Aboriginal Controlled Community Organisation to deliver services to Aboriginal and Torres Strait Islander children, young people and families.
- CSD has presented an action plan to the Oversight Committee which outlines the process for progressively establishing an ACCO as part of the next iteration of A Step Up for Our Kids (NEXT Steps). This includes identifying funding needs for establishment as well as service delivery. Service delivery under this model will include a greater focus on funding for early support and preservation activities for families at risk of entering the child protections system, such as Intensive Family Support.

IN THE NEXT 6 MONTHS

- CSD will be conducting a forum with key Aboriginal and Torres Strait Islander sector partners to consider how the Government and community can work together to support sustainable expansion of the Aboriginal and Torres Strait Islander community-controlled sector in the ACT.

RECOMMENDATION 7 (DECEMBER 2018)

Aboriginal and Torres Strait Islander Children's Commissioner

Three jurisdictions, Queensland, Victoria and South Australia have appointed specialist Aboriginal and Torres Strait Islander Children Commissioners. While their roles are primarily framed as review and advocacy roles, the Our Booris, Our Way Steering Committee recommend that 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.

JUSTICE AND COMMUNITY SAFETY RESPONSE

NOTED: May 2019

AGREED IN PRINCIPLE: July 2020

REVIEW OF THE HUMAN RIGHTS COMMISSION FUNCTIONS

The Justice and Community Safety Directorate (JACS) is undertaking a review of the Human Rights Commission's functions. The *Protection of Rights (Services) Legislation Amendment Act 2016* brought about a range of reforms to the structure and operation of protection of rights services in the ACT, bringing the Public Advocate and the Victims of Crime Commissioner into the ACT Human Rights Commission (HRC), and transferring the guardianship functions of the Public Advocate to the Public Trustee and Guardian (PTG). The complaints handling function of the HRC was consolidated under one Commissioner (the Discrimination, Health Services, Disability and Community Services Commissioner) and the Public Advocate and Children & Young People Commissioner role was combined. The leadership of the HRC was also reformed with the establishment of a position of President and the development of new governance mechanisms, including a Governance Protocol with the Justice and Community Safety Directorate, a Community Client Service Charter and an Internal Operations Protocol.

The aims of the reforms included strengthening the leadership, governance and co-ordination of key rights protection services forming the HRC, and improving accountability of these agencies, while ensuring that service accessibility was maintained.

In response to the interim report of *Our Booris Our Way*, the government revised the terms of reference of the Review, to explicitly consider and consult stakeholders and the community in relation

to the recommendation from the *Our Booris Our Way* review to establish an Aboriginal and Torres Strait Islander Children's Commissioner.

The review commenced in June 2020 and is expected to be complete by early 2021. The commencement of the review was delayed by the COVID-29 emergency and associated restrictions which would have made it difficult to conduct an effective consultation with the community of these important issues.

ACTIVITIES JULY – DECEMBER 2021

- Jumbunna Institute for Indigenous Education and Research (Jumbunna) and Justice and Community Safety Directorate have worked closely with the Our Booris Our Way Implementation Oversight Committee to develop a community consultation process for the ACT and Wreck Bay Aboriginal and Torres Strait Islander community.
- A discussion paper and fact sheet were released in October 2021 to inform community consultations. The fact sheet and discussion paper are available at: <https://jumbunna.institute/2021/11/02/have-your-say/>
- In late 2021, Jumbunna hosted community dialogue sessions and individual interviews to seek input into the establishment of the new Commissioner. Due to COVID 19 restrictions the majority of consultations with the Aboriginal and Torres Strait Islander community were held online.
- A co-design workshop was held in December 2021 with an aim to collaborate on developing the model for the Commissioner and work towards achieving a level of consensus about participants' expectations for the Commissioner role.
- The interim Aboriginal and Torres Strait Islander Children and Families Advocate role was advertised in December 2021.

IN THE NEXT 6 MONTHS

- Jumbunna will deliver the final co-design report to JACS in early 2022.
- JACS will continue to work on policy development and engage with stakeholders on the establishment of the new Commissioner, with a view to Government introducing legislation to the Legislative Assembly in late 2022.
- JACS will finalise the recruitment of the interim Aboriginal and Torres Strait Islander Children and Families Advocate.

RECOMMENDATION 8 (a) (DECEMBER 2018)

Culturally appropriate advocate service

The Steering Committee recommends that guidance be published and made immediately accessible to Aboriginal and Torres Strait Islander families engaged with the child protection system around the nature and role of support people as purposefully and deliberately engaged in meetings.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

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

ACTIVITIES JULY – DECEMBER 2021

- CYPs has developed a fact sheet "Supporting Aboriginal and Torres Strait Islander Children and Families with Children Protection – Providing Advice to Child and Youth Protection Services About Families You Know". This fact sheet emphasises to all organisations that work with Aboriginal and Torres Strait Islander families that parents and families have a right to support and advocacy.
- The fact sheet has been distributed to 45 organisations in the ACT who are likely to work with Aboriginal and Torres Strait Islander families involved with CYPs.

IN THE NEXT 6 MONTHS

- Continue to embed and monitor practice commitment within the internal workforce, organisations, community and families who come into contact with the child protection system.

RECOMMENDATION 8 (b) (MAY 2019)

Access to legal representation and advocacy

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

JUSTICE AND COMMUNITY SAFETY DIRECTORATE RESPONSE

AGREED: May 2019

Justice and Community Safety Directorate (JACS) are supportive of this recommendation and will work with CSD to implement it. JACS currently provides funding for various holistic and restorative services to the Aboriginal and Torres Strait Islander community in the ACT, including legal services and justice programs. JACS welcome collaborating with CSD on methods of improving or extending current services as well as exploring opportunities for funding new services to assist families. JACS will work with CSD and the *Our Booris, Our Way* Steering Committee to ensure new and existing services are delivered in a culturally appropriate way.

ACTIVITIES JULY - DECEMBER 2021

- JACS undertook a scoping and consultation exercise with stakeholders to understand the current level of coverage of legal services in relation to care and protection matters and potential gaps and needs.
- JaCS received information from Legal Aid, Child and Family Centres, women with lived experience of the child protection system and a number of women from the Alexander Maconochie following issues were identified as gaps:
 - **Awareness raising** of the range of legal services that are available to support families. This includes the need for warm referrals to Women's Legal Centre in instances where Legal Aid is unable to assist.
 - considering the **expansion of the Duty Lawyer service** to increase access, in particular to Court ordered mediation services (for example based on the NSW model)
 - **training on legal issues and options** for families (to address complexity and understanding of the legal system).

JACS currently provides funding for various holistic and restorative services to the Aboriginal and Torres Strait Islander community in the ACT, including legal services such as:

Legal Aid – Duty lawyer in the ACT Children’s Court, in addition to Legal Aid's provision of independent child representatives in care and protection matters, providing another level of assistance to families in the care and protection system. This is supported by Legal Aid’s Community Liaison Unit (CLU) which provides dedicated assistance to Aboriginal and Torres Strait Islander peoples to access not only the legal services provided by Legal Aid, but also other legal services in the ACT and non-legal support services. This multi-disciplinary model through the provision of legal services with non-legal support services specifically targets providing assistance to Aboriginal and Torres Strait Islanders clients and their families.

Women’s Legal Centre (Mulleun Mura) – For those women that are unable to access Legal Aid support (for example due to income or prospects of success on child protection matters), the Centre provides legal advice, representation for issues relating care and protection. This is in addition to employment and discrimination, divorce and separation, victims of crime and debt. The service also provides advocacy, emotional support, cultural advice, referral, case-management and information in relation to these services, including child protection legal services.

IN THE NEXT 6 MONTHS WE WILL ...

- JACS will liaise with CYPS and Legal aid to explore warm transfers of Aboriginal and Torres Strait Islander clients to Legal Aid, and ways to raise awareness of existing supports.
- Continue to seek guidance from the Our Booris our Way Implementation Oversight Committee on to additional ways in which JACS can support Aboriginal and Torres Strait Islander families to access professional legal and advocacy services.

RECOMMENDATION 9 (DECEMBER 2018)

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. These may include parenting programs, child development services, cultural groups and play opportunities, wrap around services that support participation in education. The current services are fragmented and sometimes difficult to access for example Intensive Family Support, through A Step Up for Our Kids Strategy is based on meeting specific entry requirements that effectively exclude families from accessing assistance early and on their own initiative.

Early support is the name preferred by the community as intervention holds a more intrusive and damaging meaning

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

The ACT Government, through the Early Support initiative, has agreed to a new approach to partnerships and investment with the community sector to change the service system and enhance well-being and early support across health, education, justice and community services. This is a long-term shift that will be achieved over a 10-year period. More immediately we are enhancing early support capacity in the ACT through several implementation initiatives, through changes to the schedules of early support program funded service contracts to secure the commitment of the sector to work with government to progress the Early support reforms from 1 July 2019, and through the establishment of the Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum.

A key component of enabling self-determination for Aboriginal and Torres Strait Islander peoples is the establishment of the Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum, which will facilitate community-led solutions to policy and practice issues across the human services. We also intend that the implementation initiatives will use a try, test and learn methodology, and will look to embed a co-production approach to reinvestment in early support.

RECOMMENDATION 9(A) (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED IN PRINCIPLE: June 2020

This work will require an across agency mechanism bringing together the Community Services, Justice and Community Safety and Health Directorates as well as Canberra Health Services and the Coordinator General for Family Safety and the Coordinator General for Mental Health and Wellbeing. As a first step in this process CSD will work across government to:

- identify existing funding for culturally appropriate programs for drug and alcohol rehabilitation, family violence, mental health and trauma counselling
- understand the unmet demand and funding for culturally appropriate early support programs in these areas
- consider a mechanism to support individuals with multiple and complex needs, for example access to a clinical expert panel for case workers.

This work will also be assisted through the continued development of the CSD Commissioning for Social Impact Strategy.

ACTIVITIES JULY – DECEMBER 2021

- The Cross Directorate Committee met twice in the reporting period to undertake the mapping of culturally specific support services in the ACT relating to drug and alcohol rehabilitation, family violence, mental health, trauma counselling and cultural healing.
- The Cross-Directorate Committee consists of representatives from the Community Services Directorate, ACT Health, Justice and Community Safety, the Coordinator General for Family Safety, Education and CMTEDD.

Commissioning for Social Impact

In August 2021, CSD and ACT Health released the ACT Approach to Commissioning and the Commissioning Roadmap.

- This was accompanied by a webinar hosted by Minister Rachel Stephen-Smith on 11 August 2021, where NGO Sector Partners were provided with an overview of proposed timeframes and pathways for commissioning until June 2021.
- A core priority of the ACT Approach to Commissioning is supporting self-determination for Aboriginal and Torres Strait Islander people.

- The Commissioning Roadmap also states that the strategies phase of all commissioning processes are to consider Closing the Gap reforms that support self-determination and equitable outcomes for Aboriginal and Torres Strait Islander people.
- CSD and ACT Health are engaging with NGO Sector Partners on the transition to commissioning in the ACT. In the first instance NGO Sector Partners providing Aboriginal and Torres Strait Islander Health Services will be re-engaged via a single select process recognising that they are uniquely qualified to understand the meet the needs of the community.
- CSD also met with the Aboriginal and Torres Strait Islander Elected Body to discuss the ACT Approach to Commissioning and strategies for engaging with the community to ensure solutions are community developed and led.

IN THE NEXT 6 MONTHS WE WILL ...

- Finalise the service mapping and gap analysis of services and funding, of culturally specific programs that are timely and meet the cultural needs of the community in the ACT. These programs will address drug and alcohol rehabilitation, family violence, mental health, trauma counselling and cultural healing.
- Plan and prepare for sub-sector commissioning activities to be undertaken in early 2022, guided by the ACT Approach to Commissioning which has self-determination at its core.

RECOMMENDATION 10(a) (MAY 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

CYPS agrees to commence work on the development of specific information to be provided when a child enters kinship care to complement information already available through the 'Working together for kids' guides and the Carer Handbook. This information will provide clear information about carer subsidies, Therapeutic Assessments, support services and advice about how they can access these

supports and will be focused on what kinship carers may immediately need to know when a child enters their care.

ACTIVITIES JULY – DECEMBER 2021

Review mechanism for decisions

- An internal merits review process for decisions made by CYPS is in the final stages of completion and will commence in 2022. This is 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 review mechanism has been developed for both kinship and foster carers. The internal decision review process will be piloted for 12 months through a ‘try, test, learn’ implementation phase throughout 2022.

Resources for Kinship Carers

- Between August and November 2021, the **Carer Connect Newsletter** was distributed weekly to support carers during COVID restrictions. Information focused on support for the wellbeing of carers, providing advice during lockdown, information on the vaccine program and contact details for support services providing emotional support. The newsletter also included information from the Therapeutic Assessment and Planning team on supporting children and self-care during restrictions. Following the easing of pandemic restrictions in November 2021 the Newsletter returned to a monthly distribution cycle.
- On 7 October 2021 a **virtual carers information session** was held with a presenter from Centrelink. The session provided information regarding supports and advice on Australian Government payments, allowance and subsidies for carers and their children.
- The monthly Kinship Morning Tea was held online during COVID restrictions. Face-to-face monthly morning teas will return in 2022 at the Child and Family Centres.
- Led by members of the Carer Wellbeing Joint Committee, Kinship Carers in the ACT have created their own **Kinship Circle website**, providing information and support for Kinship Carers in the ACT and surrounding regions. CYPS will continue to contribute content to the website to ensure all carers including Aboriginal and Torres Strait Islander kinship carers have access to the most up to date information. Specific Aboriginal and Torres Strait Islander content will be developed and added to the website over the coming months.

Therapeutic programs for kinship carers

- The internal monthly **CYPS System Level Response for Kinship Carers group** has now been established. The group are developing a system level response to identifying kinship carers who need support and encourage engagement with training opportunities. The group offer monthly morning teas (and virtual morning teas during the COVID restrictions).

IN THE NEXT 6 MONTHS

CYPS will be providing advice to all stakeholders on the new internal review mechanism including:

- providing feedback to all those who participated in the consultation process, this includes the Human Rights Commissioners, Red Cross Birth Advocacy Service, CREATE Foundation, Carers ACT, Legal Aid, Women's Legal Service, ACTCOSS, ACT Together, Karinya House and ADACAS.
- Distributing plain English fact sheets for birth parents, carers, service providers and advocacy providers.
- Conducting information sessions for CYPS staff external agencies and key advocacy organisations.
- Providing a presentation to the Carer Wellbeing Joint Committee in February 2022.

A **quarterly orientation program** for kinship carers will be developed. Consultations are now occurring with the Carer Wellbeing Joint Committee, ACT Together, Carers ACT and a number of kinship carers. The aim of the orientation program is to provide information and support to new kinship carers including information on carer payments, supports and the role of CYPS.

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

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREE IN PRINCIPLE: May 2019

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

- reduced trauma/anxiety relating to the unknown for the child and their family
- the carer's greater potential for a lifelong commitment to the child
- the capacity of carers to maintain family connections, community and cultural connections and

- enhanced capacity for supporting the development of a child's identity.

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

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

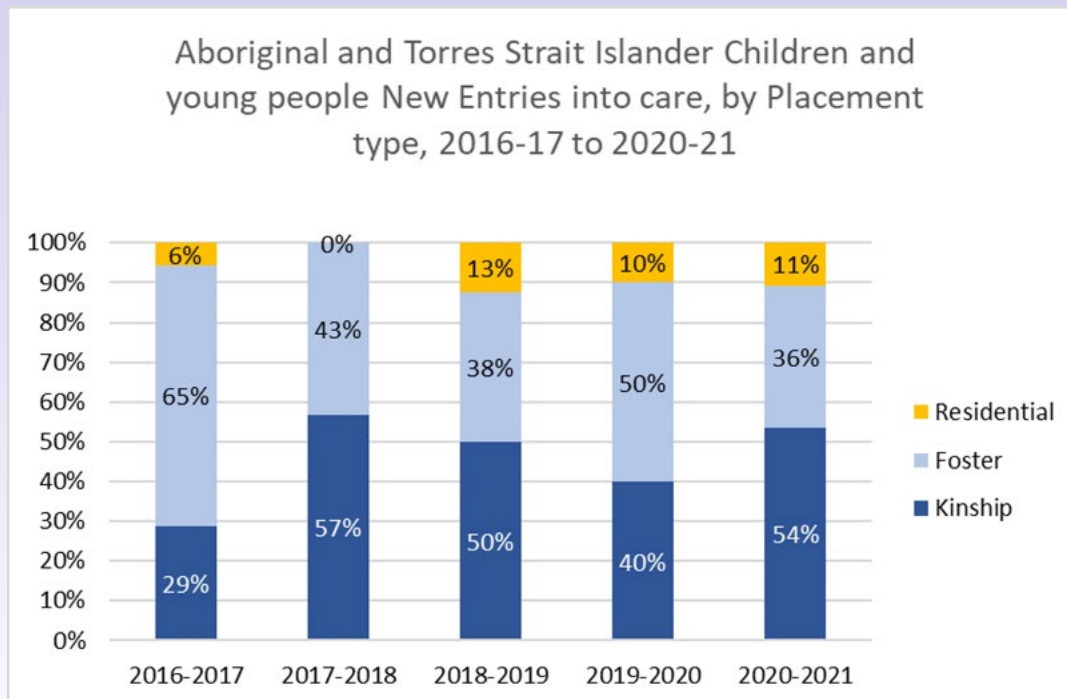
ACTIVITIES JULY – DECEMBER 2021

- CYPS continues to ensure the applications by Aboriginal and Torres Strait Islander people to become a kinship carer are prioritised.
- Curijo has been engaged to undertake comprehensive culturally appropriate kinship assessments for Aboriginal and Torres Strait Islander applicants. This is to ensure that Aboriginal and Torres Strait Islander families applying to be kinship carers can choose to have a culturally specific kinship assessor.
- Recruitment commenced for a dedicated resource within the Cultural Services Team to support CYPS staff and family to identify kin who may be able to care for children entering care. The finding kin process includes:
 - Working with family around their cultural history
 - Identifying family members who may be able to provide kinship care
 - Working alongside ACT Together and CYPS to support contact between children and their family
 - Supporting Family Group Conferencing referrals and family led meetings; and
 - Link all elements to the individual Cultural Plan.
- Finding Kin is a standalone component included as part of the Cultural Development Program training. An online training module pertaining to Finding Kin is also available to assist CYPS staff where necessary.

HOW ARE WE TRACKING?

As seen in figure 3 below, a greater proportion of Aboriginal and Torres Strait Islander children and young people entering out of home for the first time are placed with Kin* than in previous years.

Figure 5 – Aboriginal and Torres Strait Islander Children and young people New entries into care, by Placement type, 2016-17 to 2020-21



*Note: Currently definitions of 'kinship' in CYRIS is both Aboriginal and Non-Aboriginal biological kin. CSD is working with the Implementation Oversight Committee to separate out these two types of kin to clearly show Aboriginal and Torres Strait Islander biological kinship placements

IN THE NEXT 6 MONTHS

- CYPS is continuing to explore other assessors with expertise in undertaking assessments for Aboriginal and Torres Strait Islander kinship carers.
- Finalise recruitment and appointment in the Cultural Services Team of a dedicated resource for Family Finding.

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

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).

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

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

ACTIVITIES JULY – DECEMBER 2021

- The Aboriginal and Torres Strait Islander Cultural Panel consulted, reviewed and supported the development of eight nine (89) cultural plans over the 6 months from July to December 2021.
- The focus on the Cultural Panel is to ensure:
 - Every effort has been made to confirm the correct identification of country, or countries, for all Aboriginal and Torres Strait Islander children
 - CYPS case managers have engaged in honest, respectful and culturally appropriate interactions and discussions with children, young people, parents, and families to encourage their active participation and ownership of the child's Cultural plan
 - The Cultural Plan is a strengths based, action focussed tool for decision-making in respect of Aboriginal and Torres Strait Islander children and young people;
 - Copies of the Cultural Plan have been provided to children, young people, parents/carers and families, so that the plan is known and understood by everyone who has a role within it.

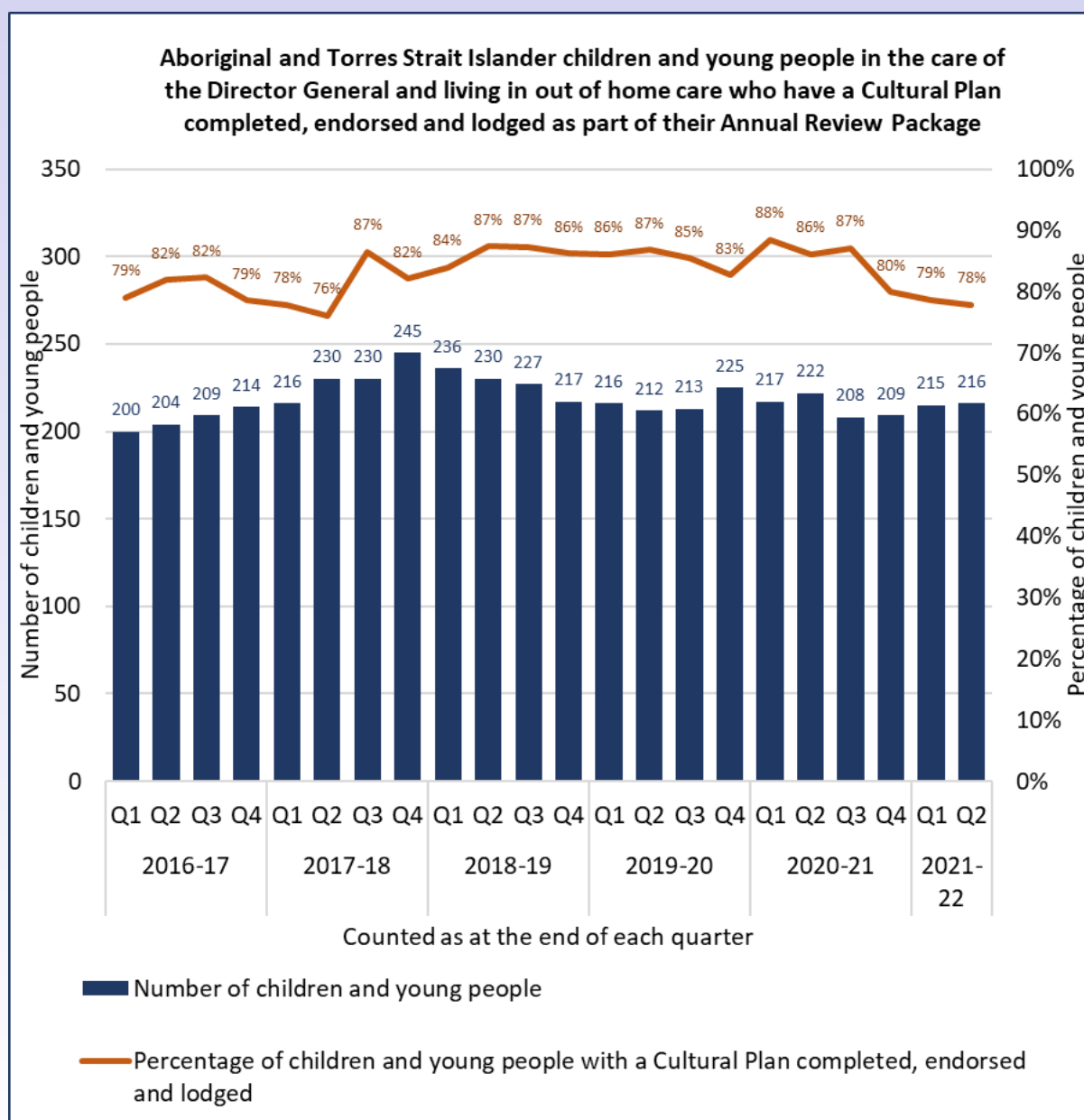
All Cultural Plans that are initiated are recorded in CYRIS for regular reporting

HOW ARE WE TRACKING?

As at 31 December 2021, there were 216 Aboriginal and Torres Strait Islander children and young people who were in the care of the Director General and in Out of home care.

168 (or 78%) of these children and young people had a cultural care plan in place (Figure 4). This will be a key focus area for improvement in the upcoming quarters.

Figure 6: Aboriginal and Torres Strait Islander children and young people who have a Cultural Plan completed, endorsed and lodged as part of their Annual Review Package



IN THE NEXT 6 MONTHS

- Commitment to undertake Cultural Panel each fortnight to support staff in the development of quality cultural plans. In addition, undertake further work with staff to ensure Cultural Plans are correctly recorded and counted.

RECOMMENDATION 12 (MAY 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED IN PRINCIPLE: May 2019

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

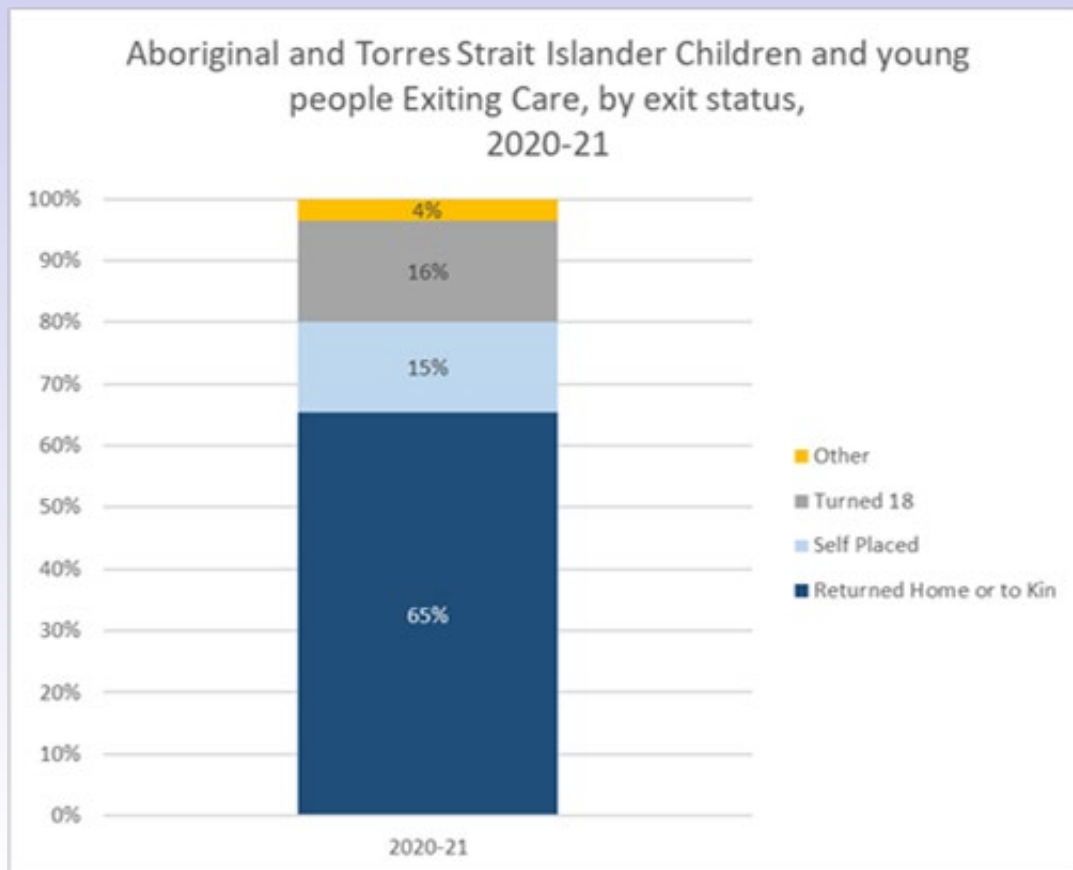
ACTIVITIES JULY – DECEMBER 2021

- The CYPS Restoration Oversight Panel continues to meet on a fortnightly basis. The Panel is chaired by the Executive Group Manager (Deputy) and the Senior Director, Cultural Services. Members include CYPS Operations, Therapeutic Support Team, ACT Together, Oz Child and Uniting. Restoration case management requires strong engagement and collaboration between CYPS, the child, parents, family, Care Team, agency partners and involved service providers to address the safety and wellbeing concerns CYPS holds and ensure restoration is timely and successful.
- There are 4 priority focus areas for the Aboriginal and Torres Strait Islander Children and Young people Restoration Oversight Panel; on short term orders, self-placed with parents, in residential care, and in foster care with non-Aboriginal foster carer.

HOW ARE WE TRACKING?

Of those children and young people who exited in 2020-21 65% returned home or to Kin (this includes both Aboriginal and non-Aboriginal kin)

Figure 7: Aboriginal and Torres Strait Islander Children and Young People Exiting Care by exit status



IN THE NEXT 6 MONTHS

- Undertake a review of the effectiveness of the Restoration Oversight Panel and make adjustments as required.

RECOMMENDATION 13 (MAY 2019)

Aboriginal and Torres Strait Islander father inclusive practice

The Steering Committee recommendations 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

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: May 2019

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

ACTIVITIES JULY – DECEMBER 2021

- Father inclusive practice is embedded in every consultation the Cultural Services Team undertake and every review of Cultural Plans. It is also used when discussing all elements of the Aboriginal and Torres Strait Islander Child Placement Principle, particularly in regard to participation, identity, connection and placement.
- The Aboriginal and Torres Strait Islander Team at the Alexander Maconochie Centre and the CYPS Cultural Services Team undertook a meet and greet to discuss Aboriginal fathers involved with CYPS. Quarterly meetings will ensure that communication continues, and a process will be developed to review work at these meetings.
- On 3 August 2021, staff attended a Lunch and Learn training session focused on *'Engaging fathers in a culturally respectful way'*. The session focused on understanding how to engage with fathers to obtain their views and wishes. The training was conducted by an Aboriginal and Torres Strait Islander staff member.
- Executive and leadership teams across CYPS successfully completed the Safe and Together training. This model aims to work with families experiencing family and domestic violence. A key component of this training is partnering with the parent using violence to work towards child and family safety. During consultations, the Cultural Services Team has been using this training to reframe how they and CYPS work more inclusively with fathers.

IN THE NEXT 6 MONTHS

- The Cultural Services team will meet quarterly with the Aboriginal and Torres Strait Islander team at the Alexander Maconochie Centre to support engagement with Aboriginal fathers who are engaged with CYPS.
- Safe and Together training will continue to be delivered in 2022 to CYPS staff.

RECOMMENDATION 14 (MAY 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

NOTED: May 2019

AGREED: July 2020

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

The Child at Risk Health Unit (CARHU) is a key provider of this baseline health and wellbeing assessment for children and young people (up to 14-years of age) who are entering out of home care, including Aboriginal and Torres Strait Islander children and young people. All Aboriginal and Torres Strait Islander children who are referred to CARHU are provided with an assessment which is guided by the National Standards for Child and Family Health. Following this assessment, referral to additional services within and external to the Canberra Health Services occurs where clinically indicated.

ACT Health also funds Winnunga to deliver Medical Benefit Scheme (MBS) 715 Health Checks as part of their recurrent funding for delivery of primary health care services. This MBS item is intended to help ensure that Aboriginal and Torres Strait Islander people receive primary health care matched to their needs, checking health and physical, psychological and social functions and deciding if preventive health care and education should be offered to the patient to improve their health and wellbeing. Winnunga has partnered with Deadly Choices and the Canberra Raiders to encourage Aboriginal and/or Torres Strait Islander peoples to make healthy choices for themselves and their family.

CSD continues to work with ACT Together to promote and embed the utilisation of Health Assessments available under MBS Item 715. Work will be undertaken to promote the availability of this MBS item to carers and caseworks. Further work will also be undertaken to consider how the utilisation of the Health Assessment can be reported through the Annual Review for Aboriginal and Torres Strait Islander children and young people.

Children, Youth and Families has developed an information sheet for carers regarding *The Aboriginal and Torres Strait Islander annual child health check*. The information sheet will be available to carers in August 2020.

The Aboriginal and Torres Strait Islander Cultural Plan template includes the date of the last Aboriginal and Torres Strait Islander annual child health check and will be monitored by the Aboriginal and Torres Strait Islander Cultural Panel. The Cultural Panel will review cultural plans on an annual basis. The Annual review will also be updated to include the date of the last Aboriginal and Torres Strait Islander annual child health check to be implemented commencing July 2020.

ACTIVITIES JULY – DECEMBER 2021

- The CYPS Health Liaison Officer is responsible for working with CYPS Operational staff and Canberra Health Services staff, (Child at Risk Health Unit) to ensure that all children and young people entering care receive a health assessment.
- Over the reporting period the CYPS Health Liaison Officer has held weekly meetings with the CARHU Nurse consultant to check on initial Out of Home Care check referrals, scheduled appointments and attended or missed appointments.
- Since October 2021 CYPS Health Liaison has recorded all children and young people who have had their initial Out of Home Care Health Check by CARHU on CYIRS. Work is being undertaken to upload the backlog data as it relates to children and young people's initial health assessments onto the client information system (CYRIS)
- The Therapeutic Services team have established a process to identify all new entries into care and undertaking a Therapeutic Assessment. This process has also been established to support the review of Therapeutic Assessments and continues to be monitored closely.

IN THE NEXT 6 MONTHS

- CYPS will maintain our focus on the health and wellbeing of children and young people through ongoing monitoring and review of all Aboriginal children and young people in care.
- Declared care team meetings will continue to be undertaken by professionals who support the health and wellbeing of a child or young person involved in out of home care.

RECOMMENDATION 15 (SEPTEMBER 2019)

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.

The members of this Committee should be Aboriginal and/or Torres Strait Islander people with an initial two-year appointment and include:

- *One representative from Winnunga Nimmityjah;*
- *One representative from Gugan Gulwan;*
- *One representative of the Aboriginal and Torres Strait Islander Elected Body; and*
- *Two members of the Our Booris, Our Way Steering Committee and ensure continuity with the intent of the Steering Committee, to be nominated by the Steering Committee*

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: December 2019

The ACT Government is committed to achieving the intended outcomes of the *Our Booris, Our Way* Review and will continue to work on addressing them.

An *Our Booris, Our Way* Implementation Oversight Committee has been established as recommended to oversee and monitor outcomes of the recommendations.

CSD will work with the Implementation Oversight Committee to establish the secretariat and support arrangements required.

ACTIVITIES JULY – DECEMBER 2021

- The *Our Booris, Our Way* Implementation Oversight Committee continues to meet monthly to monitor the implementation of the *Our Booris Our Way* recommendations.
- The ACT Government provided the *Our Booris, Our Way* Implementation Oversight Committee with two quarterly implementation plans on progress against each of the recommendations during this six-month reporting period.
- Representatives from the ACT Government have attended meetings to provide more information on each of the recommendations and seek guidance and direction from the Implementation Oversight Committee members.

IN THE NEXT 6 MONTHS

- A joint review of the new reporting template will be undertaken and any changes or refinements will be made as part of continuous improvement practice to support an understanding of tracking, delivery and results of the *Our Booris Our Way* recommendations.
- The Government will establish ongoing arrangements for the *Our Booris Our Way* Implementation Oversight Committee.
- Finalise the appointment of a Secretariat staff to provide dedicated support to the Implementation Oversight Committee in their role of guiding the government in the implementation of the *Our Booris, Our Way* recommendations.

RECOMMENDATION 16 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

The Community Services Directorate will continue to deliver the Family Group Conferencing. The Directorate will also work with the Ngura Naraganabang Advisory group and the Aboriginal and Torres Strait Placement Officer to investigate other approaches to embed families in decision making when CYPS is working with families.

ACTIVITIES JULY – DECEMBER 2021

- CYPS worked with the Ngura Naraganabang Advisory Group and the Aboriginal and Torres Strait Islander Co-Design Network to develop a new procedure for CYPS staff to embed family-led decision making into practice in relation to case planning and restoration.
- The procedure outlines the steps CYPS staff need to take to actively support families to keep their children safe at home.
- This procedure outlines how to:
 - Engage a family in a Family Led Decision Making response
 - Provide case management on a Family Led Decision Making basis
 - Commence or continue Safety Planning
 - Develop a Case Plan in partnership with family
 - Review Case Plan in partnership with family

- Complete ongoing risk assessment
- Close the case when risk has reduced
- Refer the family to a Family Assessment if risk has not reduced
- Complete appropriate documentation and record keeping

IN THE NEXT 6 MONTHS

- CYPS will be implementing the new Family Led Decision Making procedure to operationalise family led decision making within the context of voluntary engagement with CYPS.

RECOMMENDATION 17 (DECEMBER 2019)

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

COMMUNITY SERVICES DIRECTORATE

AGREED: June 2020

The Community Services Directorate is currently undertaking a range of activities to attract and retain Aboriginal and Torres Strait Islander staff to join the CYPS workforce.

CSD has introduced the new Child and Youth Protection Professional classification structure. This will allow CSD to employ someone as a child and youth protection professional (CYPP) on the basis of their Aboriginal and Torres Strait Islander cultural heritage and experience. This recognises the significant impact that Aboriginal and Torres Strait Islander cultural heritage and experience has in improving outcomes for children and young people who come into contact with the child protection and youth justice systems. It also acknowledges that this expertise may sit outside a formal qualification.

ACTIVITIES JULY – DECEMBER 2021

CSD Aboriginal and Torres Strait Islander Strategy

- The finalisation of the CSD Aboriginal and Torres Strait Islander Employment Strategy (the Strategy) has been delayed due to the need to respond to the COVID 19 pandemic.
- Consultation on the draft strategy is currently occurring with the People and Cultural Committee, the Office of Aboriginal and Torres Strait Islander Affairs, and the Aboriginal and Torres Strait Islander Collective.
- Following this consultation process the Strategy will be presented to the Our Booris Our Way Committee in the first half of 2022.

The **Aboriginal and Torres Strait Islander Collective** was established in 2020. The Collective meets bi-monthly and is designed to be a forum to discuss issues affecting Aboriginal and Torres Strait Islander employees, barriers to advancement along with leadership opportunities and to discuss potential solutions and ways forward to attract and retain Aboriginal and Torres Strait Islander staff.

- The development of an Indigenous Competency Framework for Aboriginal and Torres Strait Islander staff is also well underway. The Framework looks to create an alternate pathway for staff who wish to progress along the CYPP career route. Alternate approaches to recruit and retain staff are being adopted to attract Aboriginal and Torres Strait Islander people to work in the Child Protection space.
- The CYPP structure allows the Community Services Directorate to employ an identified person as a CYPP on the basis of their Aboriginal and Torres Strait Islander cultural heritage and experience. This recognises the significant impact that Aboriginal and Torres Strait Islander cultural heritage and experience has in improving outcomes for children and young people who come into contact with child protection and youth justice in the ACT. It also acknowledges that this expertise may sit outside a formal qualification.

HOW ARE WE TRACKING?

As at 31 December 2021 Children, Youth and Families Division had 427 Full Time Equivalent staff. Of these 22 staff have identified as Aboriginal and/or Torres Strait Islander. Staff identifying as Aboriginal and/or Torres Strait Islander are employed across all classifications (Administrative Officers, Health Professional Officers, Senior Officers) and Employment Categories (part-time, full-time and casual).

IN THE NEXT 6 MONTHS

- CSD will present a draft Aboriginal and Torres Strait Islander Employment Strategy for the consideration of the *Our Booris Our Way* Implementation Oversight Committee.
- CSD will ensure an Aboriginal and Torres Strait Islander representative is on the panel for all Aboriginal and Torres Strait Islander advertised positions.
- CSD will form a working group to progress the next CSD Reconciliation Action Plan
- The Aboriginal and Torres Strait Islander Collective will continue to meet bi-monthly and the key themes to be discussed will include:
 - Progressing the Aboriginal and Torres Strait Islander Employment Strategy
 - Provide guidance and input to a new Reconciliation Action Plan
 - Recruitment best practice
 - Promotion of significant cultural events for 2022

- Implementing a Mentorship Program and
- Review the Recruitment eLearn for cultural competence
- CYPS will finalise the recruitment of a:
 - Aboriginal and Torres Strait Islander Cultural Services Officer
 - Aboriginal and Torres Strait Islander Practice Development Officer

RECOMMENDATION 18 (DECEMBER 2019)

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

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED - July 2020

CSD will engage an Aboriginal and Torres Strait Islander Senior Leader to develop a reform plan that aligns with the issues raised in the report and supports the recommendation. The Senior Leader will work with the Cultural Support Team to support the required change over the next 12 months. Further consultation with the Cultural Support Team and the Implementation Oversight Committee will also be undertaken to discuss findings from a cross jurisdictional review of structures, practices and learnings that can inform future directions in the ACT. External Cultural Supervision will be a key platform of the reform plan.

ACTIVITIES JULY – DECEMBER 2021

- The Cultural Services Team continues to address this recommendation with internal and external high quality, Aboriginal led supervision, and professional development.
- Successfully appointed a Principal Practitioner and the role of the Senior Practitioner will be readvertised.
- Trialling new internal systems and processes to enable high quality support, advice and guidance to assist the Cultural Services Team.

IN THE NEXT 6 MONTHS

- Commencement of a Cross Jurisdictional review of Cultural Services for Aboriginal and Torres Strait Islander People involved with Statutory Child Protection. The review will also focus on how other jurisdictions are providing early support responses, how the Aboriginal and Torres Strait Islander Child Placement Principle is being actioned and how self-determination and family led decision making is being used in partnership with the Aboriginal and Torres Strait Islander community.
- Undertaking Recruitment for a dedicated Family Finding role, as well as Cultural Services Officer with the Cultural Services Team.

RECOMMENDATION 19 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED - July 2020

CSD agrees that the cultural authority for the identification of children rests with their family and community. To support this CSD will work with the ACT Aboriginal and Torres Strait Islander community to determine the mechanism to appropriately identify Aboriginal and Torres Strait Islander children and develop guidelines and processes which set out these mechanisms.

ACTIVITIES JANUARY – JUNE 2021

- CYPs maintains the position that the identification of Aboriginal and Torres Strait Islander children is determined by the child's family as they are the expert in their Aboriginality. This position is reiterated within the Cultural Development Training and the Cultural Panel.
- A draft practice guide has been developed to support case managers with recording the status of Aboriginal and Torres Strait Islander children. This is currently in the consultation phase.

IN THE NEXT 6 MONTHS

- CYPs will finalise the draft practice guide on recording the identity of Aboriginal and Torres Strait Islander children.

RECOMMENDATION 20 (DECEMBER 2019)

Segmentation and Data on Kinship Care

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

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: June 2020

The ability to report on how decisions are made regarding the placement of children in care is an important priority.

CSD is working to continue to improve the collection of Aboriginal and Torres Strait Islander status for carers, and to complete genograms for all children which describe the significant people in their lives whether biologically connected or part of their community. We are able to report on the status of carers and children and, are working to improve the collection of information to ensure accurate reporting on the Child Placement Principle.

With the implementation of the CYRIS project, the ability to collect and report on this data has improved.

ACTIVITIES JULY – DECEMBER 2021

- CYPS Internal working group continues to meet to explore the application of definitions in other jurisdictions and confirm the definition of Kinship Care for the ACT.
- This group is also committed to improving the collections of information and has created additional fields on CYRIS to differentiate between different kinship types including:
 - Aboriginal Biological Kin
 - Non-Aboriginal Biological Kin
 - Aboriginal Community Kin
 - Non-Aboriginal Community Kin

IN THE NEXT 6 MONTHS

- CYPS will seek to engage Aboriginal and Torres Strait Islander organisations and the ACT community on an agreed definition of kinship care in the ACT.

RECOMMENDATION 21 (DECEMBER 2021)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

The ACT Government is committed to designing the procurement process for the next iteration of *A Step Up for Our Kids* to pursue the development of an Aboriginal and Torres Strait Islander community-controlled child welfare organisation and the requirement for culturally safe services as a key priority. This will include identifying the level of funding within the *A Step up for Our Kids* budget that will be specifically earmarked for Aboriginal and Torres Strait Islander service delivery.

ACTIVITIES JULY – DECEMBER 2021

- Internal coordination continues to be facilitated by the Project Alignment Hub with commissioning teams in both CSD and ACT Health Directorate (ACTHD) beginning to work closely together on a joint approach to commissioning.
 - The Hub was established in 2020 as a cross-agency governance mechanism to support ACT Government planning and community partner relationships. Membership of the Hub is made up of ACT Government Executive from CSD, ACT Health, Chief Ministers, Treasury and Economic Development Directorate (CMTEDD) and JACS.
- Broad consultation with the NGO sector took place across this period to inform the release in March 2021 of a Listening Report and in April 2021 of a draft Approach to Commissioning. These processes have informed the strategic approach which the ACT Government intends to take with commissioning.
- Response was received from the Aboriginal and Torres Strait Islander Elected Body and this was used to inform the final Approach to Commissioning
- The commissioning of *A Step Up for our Kids* is now underway. This process will take account of the ACTCIPP which seeks to expand the scale and scope of Aboriginal and Torres Strait Islander enterprises, as well as good commissioning practices which include self-determination and equitable outcomes for Aboriginal and Torres Strait Islander people as a key priority.

IN THE NEXT 6 MONTHS

- The finalised Approach to Commissioning will be released to the sector establishing the vision, principles, priorities and common understanding of commissioning in the ACT.

- ACTHD and CSD developing and releasing a Commissioning Roadmap which proposes the commissioning activity and pathways for each of the health and community support funding streams.
- Continue to engage with the NGO sector and other stakeholders regarding preparation for commissioning including understanding how cross-cutting entities that represent specific demographics (such as ACCOs and the Elected Body) will best engage with commissioning processes.

RECOMMENDATION 22 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED - July 2020

Given that a substantial proportion of Out of Home care arrangements are provided by ACT Together and that no Aboriginal Community Controlled Organisation is currently in place in the ACT, it is imperative to ensure a high standard of casework is consistently achieved through the contractual arrangement and guided by expectations set by the *Our Booris, Our Way* Steering Committee.

Until a Monitoring and Review Framework is in place and embedded into policy and contractual requirements as part of the delivery of ACT Together then it is only appropriate to delay transfer of any new cases.

CSD will transition all Aboriginal and Torres Strait Islander children who are fostered by ACT Together staff to case management by the Directorate.

ACTIVITIES JULY – DECEMBER 2021

- In September 2021, CYPS presented to the Implementation Oversight Committee, the draft CYPS/ACT Together Monitoring and Review Framework on quality casework for Aboriginal and Torres Strait Islander children, young people, and their families.
- CYPS and ACT Together have worked on an implementation plan to trial the Monitoring and Review Framework in 2022.
- A standing item at the ACT Together and CYPS monthly contract meeting is the monitoring and reporting of children fostered by ACT Together staff, to support CYPS case management and to avoid a conflict of interest.

IN THE NEXT 6 MONTHS

- Continue to work with ACT Together on the implementation of the Monitoring and Review Framework to achieve the best outcome for families.
- Continue to monitor and report children fostered by ACT Together staff, to support CYPS case management and to avoid a conflict of interest.

RECOMMENDATION 23 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

The ACT Government and the Commonwealth will work with the Wreck Bay community to understand their needs and develop an appropriate service and support model. The ACT Government will work with the Commonwealth to ensure this model is embedded in the Memorandum of Understanding between the Commonwealth and the ACT Governments.

Previous reports that have been commissioned by the Commonwealth or ACT Government to support delivery of family and early support services will be reviewed for insights into already stated needs of requirements of the Wreck Bay Community. This will then be used to validate what has been heard before and to add to based on any current issues.

This review will then inform the approach taken to address for the needs of community in line with the ACT Memorandum of Understanding with the Commonwealth on provision of services to the Wreck Bay community. The Chief Minister, Treasury and Economic Directorate will assist in supporting this work.

ACTIVITIES JULY – DECEMBER 2021

- CYPS has continued to maintain contact with stakeholders in the Wreck Bay community during the COVID-19 lockdown.
- Throughout the reporting period the CYPS team have been communicating on matters relating to children and young people with AFP Policing; Gudjahgahmiamia MACS Early Learning Centre in Wreck Bay, Jervis Bay Territory, Jarvis Bay School and the Wreck Bay Council.
- The CYPS team have also had communication with members of the community in respect of Child Concern Reports and Appraisals.

IN THE NEXT 6 MONTHS

- CYPS will meet with the new Chief Executive Officer of the Wreck Bay Council who was elected to Office in October 2021

RECOMMENDATION 24 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

The ACT Government is committed to monitoring the implementation of the recommendations of the *Our Booris, Our Way Review*.

ACTIVITIES JULY - DECEMBER 2021

- The Community Services Directorate has identified a number of staff to support the implementation Oversight Committee to develop the Reporting Framework and KPIs to monitor the implementation of the recommendations. This includes a high level Data Working Group consisting of the Deputy Director General, Executive Group Manager (Deputy) CYPS and the Chief Information Officer.

- The Directorate also continues to support the Committee by identify and seconding appropriately skilled staff to undertake projects as required.
- In the report period CSD has provided two quarterly updates to the Committee on implementation activities against each recommendation.
- CSD coordinates all input to Quarterly Implementation Reports across CSD, JACS and ACT Health, and has worked closely with the Implementation Oversight Committee to provide up to date data against each recommendation in each of the Quarterly Reports provided to the Committee.

IN THE NEXT 6 MONTHS

- CSD will continue to support the Implementation Oversight Committee through the *Our Booris Our Way* Data Working Group and by providing any additional specialists expertise and skills as required.
- CSD will provide quarterly updates to the Committee addressing implementation activities for the period January – March 2022 and April – June 2022.

RECOMMENDATION 25 (DECEMBER 2019)

Data Collection and analysis

The Steering Committee recommends that 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. These indicators would add more depth to any agreed Closing the Gap refreshed targets as well as quantitative and qualitative metrics to address the ACT primary areas of concern from this report for example establishing identity; intensive family support services; kin finding; restoration; placing with kin; kinship support and contact with family whilst on orders.

These KPIs should form a component of the quarterly report and be considered by the Implementation Oversight Committee.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: June 2020

The Government will work with the *Our Booris, Our Way* Implementation Oversight Committee to develop key performance indicators 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.

ACTIVITIES JULY – DECEMBER 2021

- The Our Booris Our Way Data Working Group continues to work with the Committee on improving quarterly data on Aboriginal and Torres Strait Islander children and young people in the Child Protection system.
- A revised Dashboard was presented to the Committee at their August 2021 meeting. The Dashboard contains high level performance data with metrics on child concern reports, appraisals, substantiations, entries and exits to and from out of home care, placements and child protection orders.

IN THE NEXT 6 MONTHS

- The Data Working Group will continue to meet regularly to refine the Data Dashboard based on feedback from the *Our Booris, Our Way* Implementation Oversight Committee.

RECOMMENDATION 26(a) (December 2019)

Adoption and Permanency Arrangements

26 (a) 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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED IN PRINCIPLE: July 2020

The ACT Government has a policy position that adoption is not an appropriate permanency option for Aboriginal and Torres Strait Islander children in out of home care. Any legislative changes in this regard would need to be made in accordance with the ACT's and Commonwealth legislative requirements, including compliance with the *Racial Discrimination Act 1975*.

ACTIVITIES JULY - DECEMBER 2020

- CSD continues to investigate the significant complexities in seeking legislative change to enable the non-adoption of Aboriginal and Torres Strait Islander children regardless of the circumstances.
- Legislative barriers include compliance with the *Racial Discrimination Act 1975* (Cth) and the *Human Rights Act 2004* (ACT). Legislation to prohibit the adoption of Aboriginal and Torres Strait Islander children and young people in the ACT, without any exceptions, would likely contravene both these Acts.

IN THE NEXT 6 MONTHS

- CSD will provide advice to the Our Booris Our Way Implementation Oversight Committee on consultations with the Government Solicitor's Office on Legislative barriers to non-adoption.

- CSD will also provide an update to the Our Booris Our Way Implementation Oversight Committee on the review of other jurisdictions approach to enshrining the non-adoption of Aboriginal and Torres Strait Islander children in legislation.
- CSD will look at other approaches to strengthening legislative safeguards, though the work to embed the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle (see Recommendation 5)

RECOMMENDATION 26(b) (December 2019)

Enduring Parental Responsibility Orders

26 (b) The Steering Committee Recommends that EPR only be available for Aboriginal and Torres Strait Islander kin and carers and this be clarified in a formal policy position from the Directorate.

COMMUNITY SERVICES DIRECTORATE RESPONSE

NOTED: July 2020

While recognising the intent of this position, the ACT Government also needs to consider the abundant evidence that permanency and security are vital to reducing the ongoing trauma for children and young people associated with being in out of home care. Where restoration to Aboriginal or Torres Strait Islander parents or kin is not possible or is not in the child or young person's best interests, progressing a permanency arrangement through Enduring Parental Responsibility may be considered in the child or young person's best interests. The Government recognises that this view of permanency also needs to be considered through a cultural lens and in recognition of past decisions and practices that have already significantly impacted on separation of Aboriginal and Torres Strait Islander children and young people from their family and culture. It is acknowledged that progressing EPRs for non-Aboriginal carers may be seen by the community as compounding past wrongs and that child protection services should strive to change policy and practices to limit the need for such arrangements to be entered into.

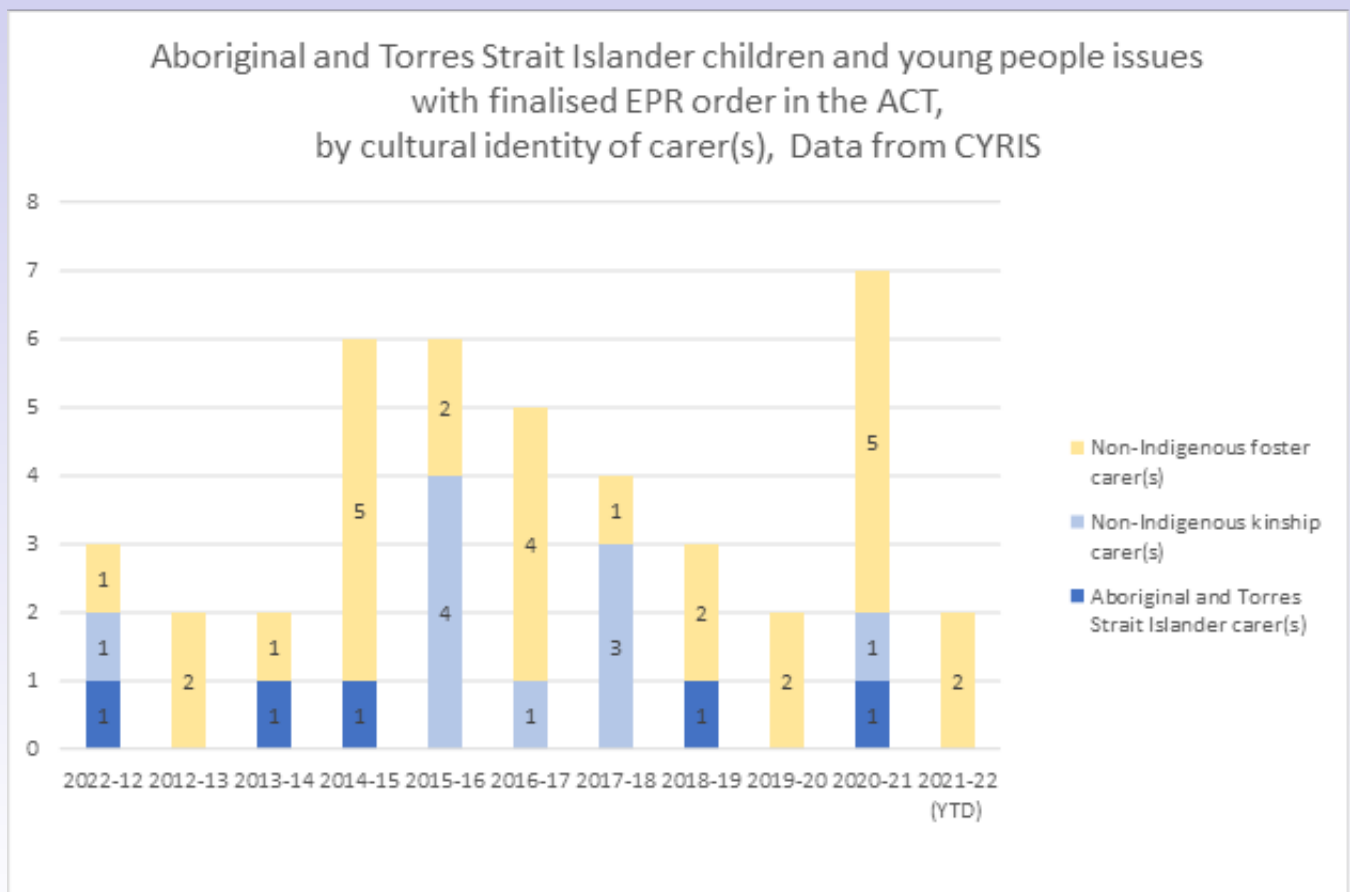
ACTIVITIES – JULY – DECEMBER 2021

- CSD has initiated the development of a policy and practice position on the permanent pathway of Enduring Parental Responsibility as an option for Aboriginal and Torres Strait Islander kin that considers legal parameters, cross-jurisdictional perspectives, data and research.

HOW ARE WE TRACKING?

An Enduring Parental Responsibility (EPR) assessment is undertaken over a significant period to allow conversations to be facilitated and gain the views of parents and significant family members.

Figure 8: Aboriginal and Torres Strait Islander children and young people issued with Finalised EPR Orders by cultural identity of carers



IN THE NEXT 6 MONTHS

- Further work will be undertaken to finalise the policy and practice position on Enduring Parental Responsibility.

RECOMMENDATION 27 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

Practice guidelines have been developed to ensure CYPS caseworkers actively support families in accessing services when they are involved with ongoing case management. As the majority of these services are funded by the ACT Government, CSD will work closely with the service sector to deliver improved outcomes and results for families and individuals through the Commissioning for Social Impact work (see Recommendation 9a for more detail on Commissioning for Social Impact).

ACTIVITIES JULY – DECEMBER 2021

- CYPS has now undertaken a review of all current procedures relating to services and referrals to ensure that families are receiving warm referrals to services and active engagement and follow up is occurring.
- A draft referral procedure for Functional Family Therapy has been developed that includes more detailed information about the two Functional Family Therapy programs offered. These FFT programs are: The Child Welfare Program: which focuses on family preservation and placement stability; and the Youth Justice Program

IN THE NEXT 6 MONTHS

- CYPS will consult with Gugan Gulwan and Ozchild to seek feedback about the revised procedures for referrals to the two Functional Family Therapy programs.

RECOMMENDATION 28 (DECEMBER 2019)

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.

COMMUNITY SERVICES DIRECTORATE RESPONSE

AGREED: July 2020

The ACT Government is committed to supporting the growth and resilience of family relationships and connection particularly of children who are not residing with their parents or siblings. Development of a policy statement and practice guidance on the level of family connection and contact based on research and leading practice will be undertaken. This paper will also look at the purpose and need for supervised connection and contact visits and how long these arrangements are beneficial for the purpose of assessment.

ACTIVITIES JULY – DECEMBER 2021

- Drawing on contemporary research and leading best practice, CYPS developed a policy statement and practice guidance on family connection and contact. This provides staff with best practice advice on supporting children and young people to connect to their family. This policy has been published on the knowledge portal for all CYPS staff.

OVER THE NEXT SIX MONTHS

- It is noted that the sample review has been delayed and is prioritised for the next six months. CYPS will undertake a review of a sample of Aboriginal and Torres Strait Islander children and young people to ensure family connections are frequent, facilitate high quality relationship building and are in natural settings that maximise the growth and maintenance of family relationships.