

TURNING THE TIDE

DESIGNING A NEW PLAN TO ADDRESS THE
OVER-REPRESENTATION OF ABORIGINAL
AND TORRES STRAIT ISLANDER CHILDREN
IN OUT-OF-HOME CARE

CONSULTATION GUIDE

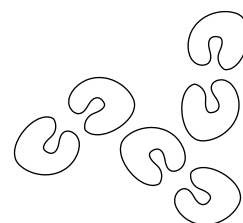




This consultation guide has been developed by SNAICC – National Voice for our Children.

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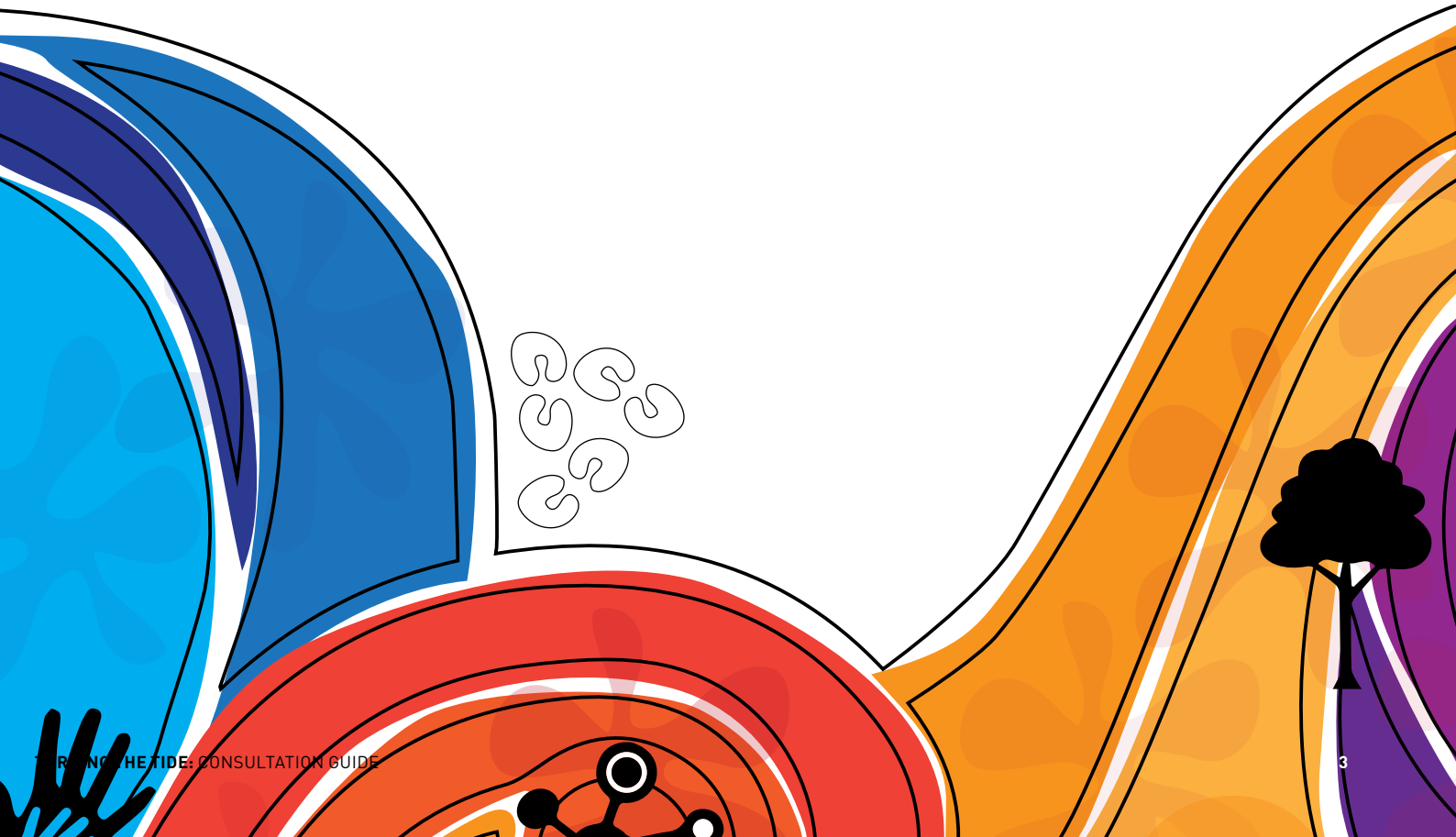
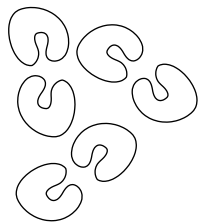


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BACKGROUND

The Commonwealth Department of Social Services (DSS) and Child and Families government departments in each state and territory are now in the process of developing a 10-year successor plan to further the objectives of the *National Framework for Protecting Australia's Children 2009 – 2020* (the 'successor plan').

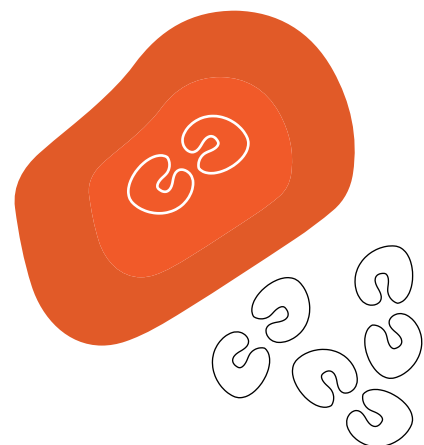
Community Services Ministers from across the country have agreed in-principle that the primary focus of the next national plan will be “to make significant and sustained progress in reducing the rates of child abuse and neglect and its intergenerational impacts for children and families who are experiencing disadvantage and/or are vulnerable.”

There has been recognition from government and non-government stakeholders that the previous National Framework and its action plans did not have sufficient targeted strategies to improve outcomes substantively for Aboriginal and Torres Strait Islander children and young people. This has been reflected in increasing over-representation of Aboriginal and Torres Strait Islander children in out-of-home care across the more than 10-year period of the Framework.

The successor plan will include a dedicated focus and targeted strategies for responding to the needs of Aboriginal and Torres Strait Islander children and their families. It will seek to focus the efforts of government, services and communities across the country to help achieve the target in the *National Agreement on Closing the Gap* to, by 2031, reduce the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45%.

In its early development, the envisioned focus for the successor plan has been on prevention (for example, supporting families before they are engaged with the child protection system and looking to prevent intergenerational impacts), supporting families with multiple and complex needs, supporting those who have been abused and neglected, and supporting those transitioning from care. Governments have also identified a priority to focus on areas of joint responsibility and collective effort between the Commonwealth, states and territories. Focusing on specific areas, where there will be a demonstrable benefit to a national approach, will help ensure targeted efforts by all Australian governments.

SNAICC – National Voice for our Children, the national peak body for Aboriginal and Torres Strait Islander children, is working with Aboriginal and Torres Strait Islander representatives, experts and governments to facilitate a process of co-design that ensures Aboriginal and Torres Strait Islander community participation and leadership are central to the development of the successor plan.



PURPOSE

This document has been developed to help guide consultations to inform the successor plan, particularly its dedicated focus on improving outcomes for Aboriginal and Torres Strait Islander children and families. Consultations will prioritise the input of Aboriginal and Torres Strait Islander people in line with self-determination. Governments, services and experts that have key knowledge, and roles and responsibilities to support Aboriginal and Torres Strait Islander children and families, will also provide input.

This guide outlines the process for co-design of the successor plan, the key outcomes of previous consultations, and critical questions to be explored to design a strong plan that will achieve better outcomes for Aboriginal and Torres Strait Islander children.

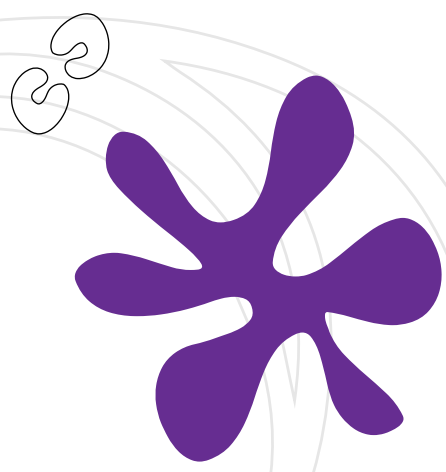
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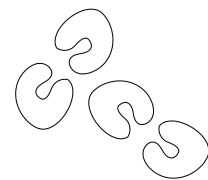
One of the biggest challenges is that many of the priorities and actions for the National Framework were decided in the absence of Aboriginal and Torres Strait Islander people. When we came in, it was like we were trying to patch holes and make the best of a bad situation.

There was a big focus around a public health model, but no genuine recognition that embedding this would take some massive shifts in how child protection systems saw themselves and their primary purpose.

Aboriginal and Torres Strait Islander Leadership Group Member, 2020

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HOW IS CO-DESIGN OF THE SUCCESSOR PLAN HAPPENING?

Significant Aboriginal and Torres Strait Islander community wisdom and insights have been gathered through recent SNAICC consultation and co-design processes as well as recent hearings such as the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, and the engagement process with Aboriginal and Torres Strait Islander women and girls, undertaken by the Aboriginal and Torres Strait Islander Social Justice Commissioner, Ms June Oscar AO.

An outcomes harvest was completed in early 2021 to draw together the findings and aspirations of Aboriginal and Torres Strait Islander people already reflected in this work. This groundwork means a targeted consultation process can take place that will focus on the critical questions identified and fill essential gaps to assist in defining the successor plan's outcomes, measures, and priority strategies.

Working with the Commonwealth, state, and territory governments, the co-design process includes SNAICC as the primary agreement makers with government. Recognised Aboriginal and Torres Strait Islander experts and leaders will guide the co-design process through the Aboriginal and Torres Strait Islander Leadership Group, with SNAICC in a secretariat role. The Leadership Group will provide expert advice to SNAICC, and in doing so, will support SNAICC to engage in shared decision-making with Commonwealth, state and territory governments. Commonwealth, state and territory governments are represented by the Children and Families Secretaries (CAFS) Working Group or other appropriate government representatives, to support co-design of the plan. Higher-level negotiation and agreement-making will occur between SNAICC, CAFS and Community Services Ministers.

Recognising that Aboriginal and Torres Strait Islander knowledge and lived experience are the primary means to achieve structural change, consultations will include Aboriginal and Torres Strait Islander families,

children, communities, and community-controlled services. The National Children's Commissioner will conduct consultations with children and young people. Priority will be given to achieving national and cross-sectoral representation and giving voice to children and young people. Non-Indigenous, non-government stakeholders will also be invited to provide input, including through the National Coalition for Child Safety and Wellbeing.

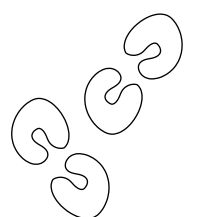
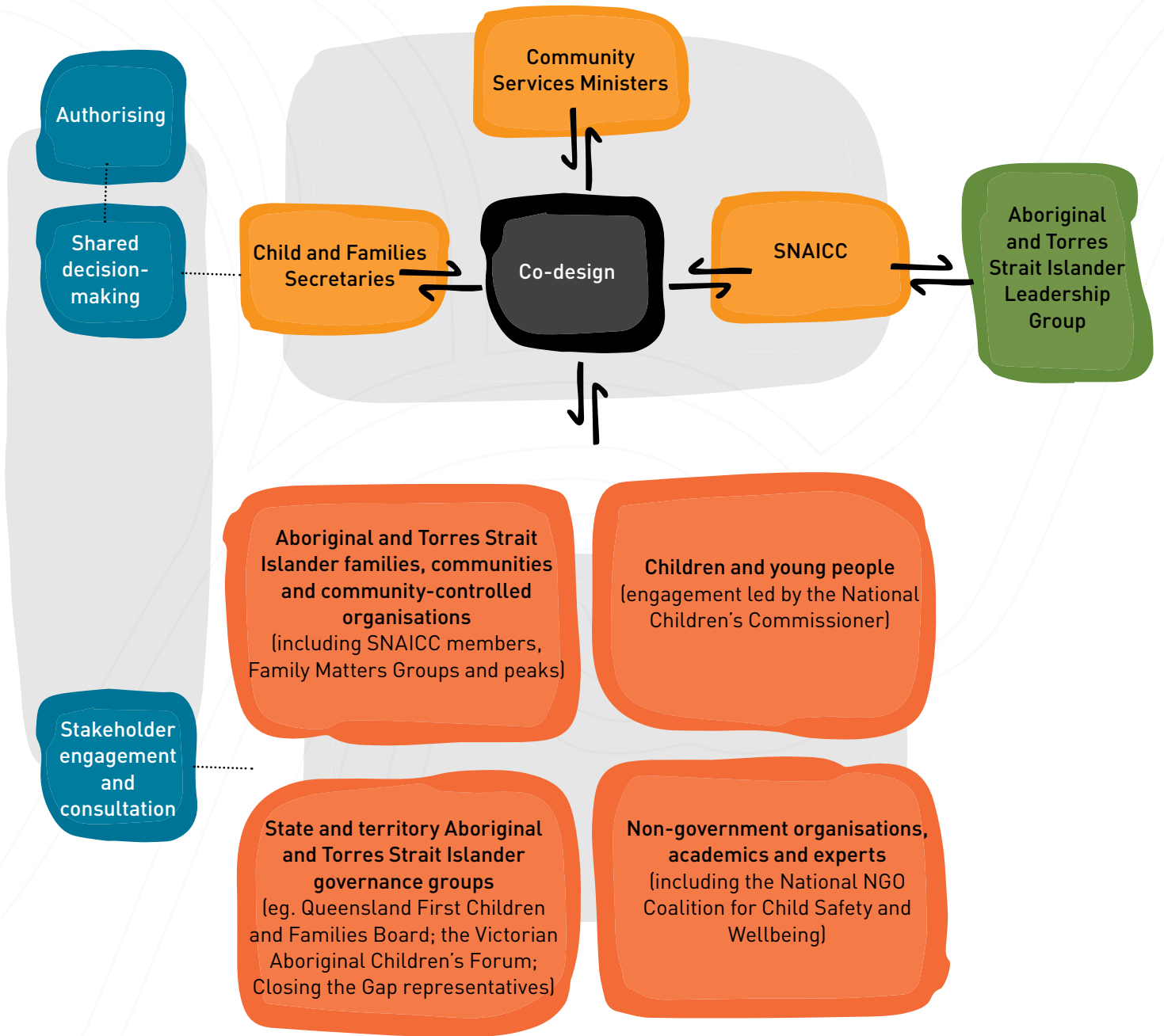
Knowledge circles will be held with representatives from each state and territory. Stakeholders will also be able to participate through online questionnaires, small group discussions, and videoconferences (for those who are unable to travel).

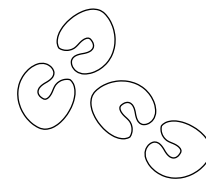
Following outcomes of the consultations, the first draft of the Aboriginal and Torres Strait Islander specific content for the successor plan will be produced in April 2021 for consideration by the Leadership Group, DSS, and state and territory governments (noting that SNAICC will work with states and territories to also provide input to the successor plan overall). From April through May, SNAICC and DSS (on behalf of the CAFS working group) will co-author the successor plan's focus for Aboriginal and Torres Strait Islander children. Review and feedback on the draft plan will be sought from the Leadership Group, with the content of the successor plan to be agreed between the Leadership Group, SNAICC, and the CAFS Working Group. Any issues that cannot be resolved will be escalated to CAFS, with the final decision-making authority resting with Community Services Ministers. The overall successor plan will then be agreed to by CAFS, SNAICC and the Leadership Group, with final endorsement by Community Services Ministers in July 2021.

The relationships for the co-design process are depicted visually on the following page.

Finalisation of the 10-year plan will kick off the drafting of the first five-year Implementation Plan, and its deliverables and indicators. This plan's development process will be significantly informed by priorities identified in the co-design process during the first half of 2021 and commitments under the *National Agreement on Closing the Gap*.

THE CO-DESIGN PROCESS





THE CO-DESIGN TIMELINE

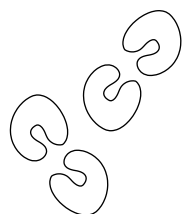
YEAR	MONTH	STEPS
2020	October – December	Outcomes harvest: outcomes, targets, aspirations and priority strategies identified in previous consultation and co-design processes are gathered, identified and collated.
	November – December	The successor plan’s high-level parameters and focus is established and the co-design’s vision, goal, timeframes, target cohort and priority groups are endorsed.
		The Leadership Group identifies critical knowledge gaps, further areas to be explored and tested, and key questions to be asked when reviewing outcomes, targets and priority strategies.
2021	December – February	The Leadership Group and CAFS support SNAICC to identify critical stakeholders and agree to the co-design’s governance, scope, timeline and process.
	February – March	Key stakeholder consultations include: <ul style="list-style-type: none"> • knowledge circles with representation from each state and territory • online surveys • written responses • phone / video meetings (for those who cannot travel).
	April	The successor plan is drafted by SNAICC and CAFS, drawing on consultation outcomes.
	April – May	The draft successor plan is circulated for review and feedback, including to state and territory Aboriginal and Torres Strait Islander governance groups.
		Consultation with children and young people takes place to inform the first five-year implementation plan, undertaken by the National Children’s Commission.
	June	The successor plan is finalised and endorsed by Leadership Group and CAFS.
	July	The successor plan is endorsed by Community Services Ministers.
		Commencement of drafting first five-year implementation plan. SNAICC, the Leadership Group and governments (through CAFS) will work together to draft the implementation plan.
	July – August	Draft of the first implementation plan is circulated for consultation and review and updated.
	October	First implementation plan is finalised and endorsed by Leadership Group and CAFS.
	November	Final first implementation plan is endorsed by Community Services Ministers.
	December	The Leadership Group, CAFS and DSS review the outcomes of the co-design process and next steps for strategy implementation.

A FOCUS ON AREAS OF JOINT RESPONSIBILITY

The successor plan will have a particular focus on areas of joint responsibility between Commonwealth, state and territory governments, focusing on areas of partnership and shared decision-making. For example, this could include a focus on embedding all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle into policy and practice, a focus on national standards for legislative and policy reform (with legislative reform remaining the responsibility of individual jurisdictions), and increased attention on prevention and early intervention (with a specific focus on areas of joint action).

Other areas of joint responsibility for action may include:

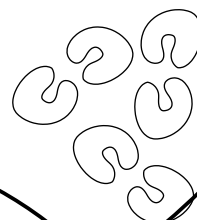
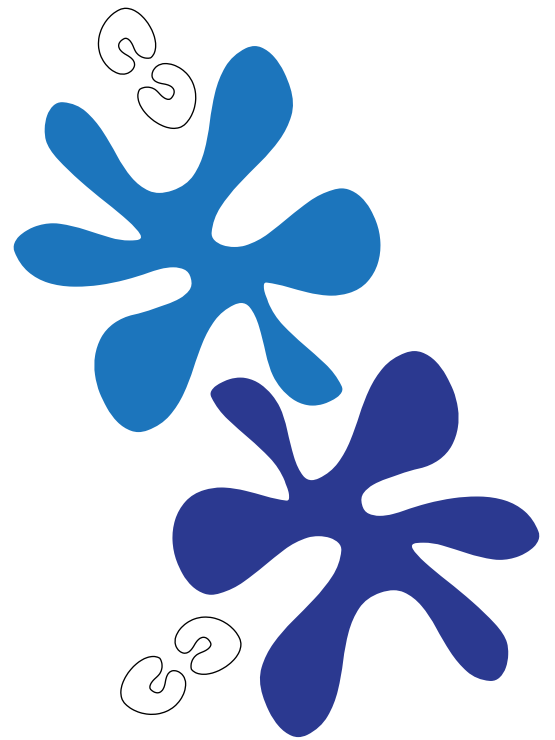
- **system-level outcomes**, such as Aboriginal and Torres Strait Islander workforce development, designing and testing best practice and fit-for-purpose models for Aboriginal and Torres Strait Islander families with multiple and complex needs, offering more effective responses within health and wellbeing programs, therapeutic family engagement and support services, and child protection.
- **improved system coordination**, both within and between Commonwealth, state and territory governments and non-government organisations. This could include working with relevant areas to improve access to payments, housing, continued engagement in education and employment, and therapeutic family intervention to address different risk factors and intergenerational trauma.
- **strengthening governance and improving accountability** by determining clear roles under the successor plan. For example, national standards in relation to reporting across jurisdictions could be devised, enabling better transparency of information, or broadening representation in governance structures may include ensuring appropriate Aboriginal and Torres Strait Islander representation on relevant structures across portfolio areas such as education, family safety and health, subject to agreed priority areas under the successor plan.
- **incorporating the United Nations Convention on the Rights of the Child and the United Nations Declaration on the Rights of Indigenous Peoples** into the successor plan, ensuring an approach grounded in the rights of Aboriginal and Torres Strait Islander children.
- **improved funding co-ordination** between the Commonwealth, state and territory governments.
- **increased participation** by Aboriginal and Torres Strait Islander children and families, for example in decision-making processes, such as Aboriginal family-led decision-making.
- **improving the cultural capability of the system**, for example, by consideration of actions to address individual and systemic racism (in line with Priority Reform three under Closing the Gap), or working with stakeholders to design, develop and test services that are fit for purpose, such as culturally safe, trauma-informed services for families with multiple and complex needs.



Aboriginal and Torres Strait Islander leaders have been clear that limited change can be facilitated within child protection without a critical focus of the impact of intergenerational trauma and its far-reaching implications in the lives of Aboriginal and Torres Strait Islander children, families and communities. Unless the drivers of over-representation are addressed, Aboriginal and Torres Strait Islander self-determination reforms focused on the care of removed children risk being overwhelmed and the trajectory of more Aboriginal and Torres Strait Islander children being removed cannot be altered. Many of the impacts of intergenerational trauma and preventing the drivers of abuse and neglect fall within areas of joint responsibility between the Commonwealth and states and territories, and are managed through multi-lateral agreements including:

- disability and the National Disability Insurance Scheme (NDIS)
- housing and homelessness
- domestic and family violence
- early education and care
- education
- National Mental Health Commissions and Primary Health Networks (PHN) funding
- child sexual abuse/harmful sexual behaviour.

The focus of the successor plan on addressing the over-representation of Aboriginal and Torres Strait Islander children in the child protection system must respond within these areas of joint responsibility. The successor plan will also need to align with the many Closing the Gap-related reforms, which include targets and reform priorities that aim to improve the above outcomes and systems.



ALIGNING WITH THE NATIONAL AGREEMENT ON CLOSING THE GAP

The new *National Agreement on Closing the Gap* takes on a strengths-based agenda—one that more genuinely partners with Aboriginal and Torres Strait Islander people, enables more community input, embeds shared decision-making, and aims to enable non-Indigenous institutions to be more responsive and accountable to Aboriginal and Torres Strait Islander people. This is underpinned by the recognition that better life outcomes will be achieved when state and national governments recognise and enable the right of Aboriginal and Torres Strait Islander peoples to exercise self-determination in the design and delivery of systems, policies and services that affect them.

The new agreement recognises that structural change is needed in the way governments work with Aboriginal and Torres Strait Islander people to achieve health and life expectancy equality within a generation. Parties to the National Agreement have committed to listen to the voices and aspirations of Aboriginal and Torres Strait Islander people and change their ways of working in response. In order to achieve this shift, the National Agreement has adopted four Priority Reforms.

ONE: build and strengthen structures to empower Aboriginal and Torres Strait Islander people to share decision-making with governments.

TWO: build formal Aboriginal and Torres Strait Islander community-controlled sectors to deliver services to support Closing the Gap.

THREE: systemic and structural transformation of non-Indigenous and government organisations to improve accountability and better respond to the needs of Aboriginal and Torres Strait Islander people.

FOUR: enable shared access to location-specific data and information to support Aboriginal and Torres Strait Islander communities and organisations to achieve the first three reforms.

The successor plan will align with the core principles of the new agreement and its priority reforms. Both the plan and its co-design process intend to ensure genuine partnerships between government and Aboriginal and Torres Strait Islander people. The successor plan will incorporate dedicated strategies for Aboriginal and Torres Strait Islander children, and its governance structure will assist in enabling Aboriginal and Torres Strait Islander leadership and oversight. It also will include mechanisms that ensure transparency.

As the successor plan is being developed, governments and Aboriginal and Torres Strait Islander people in each state and territory (and nationally) will be working to develop Closing the Gap implementation plans. The groups working on these plans will be invited to provide input to this co-design and support alignment of the successor plan with jurisdictional Closing the Gap implementation efforts.

The new *National Agreement on Closing the Gap* outlines 16 outcomes of which Outcome 12 – **Aboriginal and Torres Strait Islander children are not over-represented in the child protection system** – is central to the successor plan. This outcome sets the target to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031. This target can only be met with serious commitment to providing culturally safe and appropriate services and supports necessary to address the drivers of child protection intervention, including the impacts of intergenerational trauma and poverty. It requires commitment to prevent Aboriginal and Torres Strait Islander children from entering child protection systems, as well as supporting children who have been removed to safely reunify with their families.

Several other outcomes that are also important to contribute to a safe and supportive environment for children will be considered by the plan, including: children thrive in their early years (Outcome 4); youth are engaged in education or employment (Outcome 7); families and households are safe (Outcome 13); and cultures and languages are strong (Outcome 16).

DRAWING ON THE OUTCOMES OF PREVIOUS CONSULTATIONS AND CO-DESIGN PROCESSES

An outcomes harvest was undertaken by SNAICC and finalised in January 2021. The outcomes harvest was a way of gathering the important outcomes from an Aboriginal and Torres Strait Islander perspective as detailed in numerous co-design and consultation reports and identifying the role that the successor plan can take to support achieving them.

The outcomes harvest mapped and coded the findings of previous relevant consultations and co-design processes against outcomes frameworks that were identified as important to the development of the successor plan. These included:

- the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle
- outcomes identified in the Fourth Action Plan of the *National Framework for Protecting Australia's Children*
- aspirations of the Aboriginal and Torres Strait Islander Leadership Group for the successor plan.

This process established the most identified outcomes, analysed gaps, and highlighted key questions that need to be addressed in the co-design process. The findings are incorporated throughout this guide to inform the co-design.

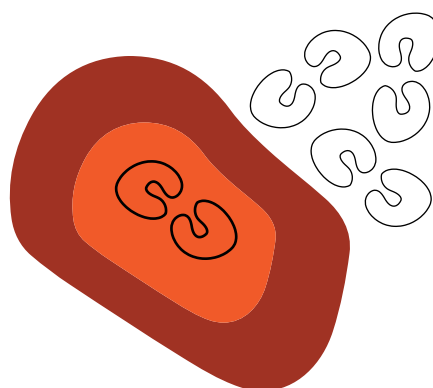
IDENTIFIED OUTCOMES

1. Strengthening Aboriginal and Torres Strait Islander governance.
2. Transformative change – focused significantly on strengthening legalisation and systems reform.
3. Prevention and access to early intervention supports.
4. Investing in Aboriginal and Torres Strait Islander organisations.
5. Taking a child rights approach.
6. Connection to culture.
7. Children live safe and supported in their communities.

The two most identified outcomes reflect an emphasis from the data that achieving two key structural reforms – greater recognition and implementation of legislation, policy and processes that affirm the right of Aboriginal and Torres Strait Islander communities to self-determination, and improved transparency and oversight, would substantively contribute to changing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems.

The outcomes harvest report identifies that Aboriginal and Torres Strait Islander communities and leadership are calling for:

- a system that no longer focuses on removal but is realigned to focus on supporting families to care safely for their children in their family, culture and community
- increased investment in prevention services, including to address structural issues, such as poverty and intergenerational trauma, that increase the risk of child protection intervention
- increased investment in Aboriginal and Torres Strait Islander agencies and organisations to be enabled to deliver early intervention services across the spectrum including family support, early childhood and maternal and child health services.



KEY ISSUES TO CONSIDER IN CO-DESIGN

Aboriginal and Torres Strait Islander communities and leadership have significant aspirations of transformational change to address the impact of their children continuing to be placed in institutional care systems.

There is an urgency required to achieve change due to the increasing numbers of Aboriginal and Torres Strait Islander children coming into out-of-home care and not being reunified, and concerning, being permanently placed, often with non-Indigenous carers.

Each year, the Family Matters report seeks to bring to the attention of governments how desperate this situation is. However, government efforts remain somewhat conservative in their approach to change in the views of Aboriginal and Torres Strait Islander communities across Australia. Very limited transformational change has occurred.

Reflecting on the key themes identified in the outcomes harvest of Aboriginal and Torres Strait Islander governance, and investing in Aboriginal and Torres Strait Islander organisations, states and territories do not have an equal starting point. Some have invested far more in Aboriginal and Torres Strait Islander organisations and supported Aboriginal and Torres Strait Islander leadership, while others lack significant coverage of community-controlled services and genuine Aboriginal and Torres Strait Islander governance and oversight. This needs to be considered in forming solutions.

Significant disparities also exist across the country in the level of investment in supporting families, but in every state and territory both investment and access to quality and culturally safe prevention services for families remains grossly inadequate to address over-representation in out-of-home care. Many of the structural factors that increase the risk of child protection intervention, such as intergenerational trauma, poverty, homelessness, and insecure housing, need to be addressed through increased investment in prevention and early intervention services for Aboriginal and Torres Strait Islander families.

However, as *The Family Matters Report 2020* shows, the proportion of investment in prevention is not increasing. In 2019-20, 84.1% of national expenditure on child protection was allocated to the tertiary end of the sector, compared to 15.9% on measures that seek to prevent, support, and reunify families. This proportion of expenditure has reduced over the last five years from 17.1% in 2015-16 (Report on Government Services, 2021).

Issues lie not only in the amount of funding provided for prevention and early intervention but in its distribution, with many non-Indigenous organisations funded that are unable to effectively engage and provide culturally responsive support services for Aboriginal and Torres Strait Islander children and families. There is a need to focus on the policies and mechanisms that can enable the redistribution of existing funding from non-Indigenous, non-government and government services to Aboriginal and Torres Strait Islander community-controlled organisations to deliver place-based solutions to reduce over-representation.

Complementary to family support there is also a need to look more broadly at early intervention services including universal and preventative approaches within health, maternal health, early childhood education, housing, and mental health that provide proactive rather than reactive opportunities for strengthening and supporting families. As such, there is a need to consider how governments can work better across relevant portfolios and ensure that relevant national initiatives have linkages where possible.

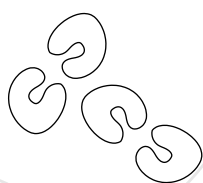
To achieve the magnitude of change required also requires a substantive focus on workforce development. This is two-fold – there is a need to address systemic racism and cultural safety within the child protection system overall, particularly the non-Indigenous workforce, and to date this has been patchy and often limited in application. There is also a need to invest in building the Aboriginal and Torres Strait Islander workforce to support increased focus on cultural safety and Aboriginal and Torres Strait Islander-led early intervention.

CRITICAL QUESTIONS TO GUIDE CO-DESIGN

Analysis of the identified key issues and priorities to date reveals several critical questions that need to be addressed if the successor plan is to take decisive action to address the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care.

These questions will be in focus throughout the process of co-design.

1. What can the successor plan do that will meet the aspirations of the Aboriginal and Torres Strait Islander communities and leadership? What might the key limitations and barriers be and how can these be overcome?
2. How can the successor plan support increased active efforts to implement the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle across practice, policy and systemic reform? How can joint effort be taken by the Commonwealth and states and territories to achieve this?
3. Despite good intentions, limited progress is being made in increasing investment in prevention and early intervention – so good intentions are not enough. In areas of joint government responsibility, what are the priorities for action to prevent entry to out-of-home care?
4. How will the successor plan assist to drive and coordinate the roles of other critical government agencies beyond child safety and community services (both federal and state) to ensure equitable access for Aboriginal and Torres Strait Islander children and families to holistic early intervention services? What would be the most important first steps to achieving this?
5. What critical early intervention and prevention service areas require substantive focus?
6. How can the successor plan enable and support the role of Aboriginal and Torres Strait Islander organisations in providing prevention and early intervention support services?
7. How will we ensure an effective workforce strategy is embedded to support and drive reforms?
8. How will we know we are succeeding?
What are the critical outcomes and measures that we should focus on?
9. If we could achieve one critical success through the successor plan what would that be?



THE FAMILY MATTERS BUILDING BLOCKS – AN ABORIGINAL AND TORRES STRAIT ISLANDER-LED FRAMEWORK FOR CO-DESIGN

Family Matters – Strong communities. Strong culture. Stronger children. – is Australia’s national campaign to ensure Aboriginal and Torres Strait Islander children and young people grow up safe and cared for in family, community and culture. Its goal is to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 2040.

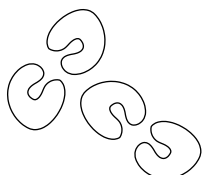
The campaign is led by SNAICC and a group of eminent Aboriginal and Torres Strait Islander leaders from across the country. It is supported by a strategic alliance of over 150 Aboriginal and Torres Strait Islander and non-Indigenous organisations. The campaign presents a unified voice across the country and across sectors to ensure our children grow up safely in their homes, receive a good education, and grow up healthy and proud of who they are.

The campaign’s principles include applying a child-focused approach and ensuring that Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children; that Aboriginal and Torres Strait Islander children’s rights to live in culture are protected; that responses are evidence based; that families are supported and strengthened through holistic culturally safe services; and that systemic racism and inequities are challenged. The campaign promotes strategies that highlight the importance of reorienting service delivery to focus on prevention and early intervention and drawing on Aboriginal and Torres Strait Islander strengths and knowledge.

The campaign has developed an evidence and human rights-based theory of change and Roadmap for systems reform, underpinned by four inter-related building blocks. Informed and led by Aboriginal and Torres Strait Islander people, these four building blocks provide a strong and valuable framework to inform the design of the successor plan. The following pages invite participants in consultations to reflect on how the achievement of each of the building blocks can be supported by the successor plan.

The Family Matters Building Blocks

1. All families enjoy access to quality, culturally safe, universal and targeted services necessary for Aboriginal and Torres Strait Islander children to thrive.
2. Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children.
3. Law, policy and practice in child and family welfare are culturally safe and responsive.
4. Governments and services are accountable to Aboriginal and Torres Strait Islander people.



BUILDING BLOCK 1: ALL FAMILIES ENJOY ACCESS TO QUALITY, CULTURALLY SAFE, UNIVERSAL AND TARGETED SERVICES NECESSARY FOR ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN TO THRIVE

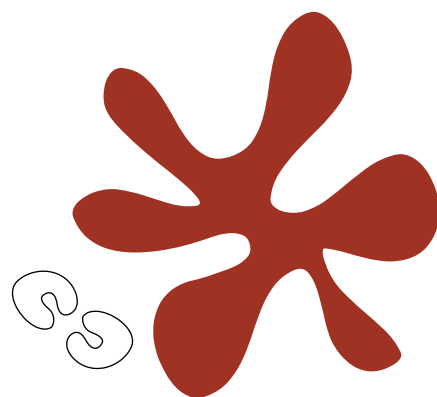
Early investment in strengthening families provides long-term social and economic benefits by interrupting trajectories that lead to health problems, criminalisation, and child protection intervention. Aboriginal and Torres Strait Islander families have unique needs for healing supports to address the impacts of inter-generational trauma that have resulted from experiences of colonisation, the Stolen Generations and other discriminatory government policies. Governments must ensure that families and children are able to access a full range of culturally safe and acceptable universal and targeted services that ensure the protection and realisation of their human rights.

OUTCOMES HARVEST THEMES IDENTIFIED IN ALIGNMENT WITH **BUILDING BLOCK 1**

- Focus on Aboriginal and Torres Strait Islander children's social, emotional cultural and spiritual wellbeing.
- Investing in Aboriginal and Torres Strait Islander early intervention and prevention to stop children entering child protection systems.
- The need for a child rights approach to be adopted.
- Investment in early intervention and prevention support across the spectrum – universal to targeted – provided by Aboriginal and Torres Strait Islander organisations and communities.
- Wraparound services that allow for proactive rather than reactive responses.

CRITICAL QUESTIONS FOR **BUILDING BLOCK 1**

1. How can the successor plan enable and support the role of Aboriginal and Torres Strait Islander organisations in providing prevention and early intervention support services?
2. How can the successor plan drive a genuine shift to prevention and early intervention, where the current National Framework has not succeeded?
3. How can the Commonwealth collaborate with states and territories to increase and improve prevention and early intervention efforts?
4. How can the successor plan engage the roles of government agencies beyond child protection and community services to ensure holistic responses?
5. How will we know we are succeeding to implement Building Block 1? What are the key measures and targets to focus on?



BUILDING BLOCK 2: ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND ORGANISATIONS PARTICIPATE IN AND HAVE CONTROL OVER DECISIONS THAT AFFECT THEIR CHILDREN

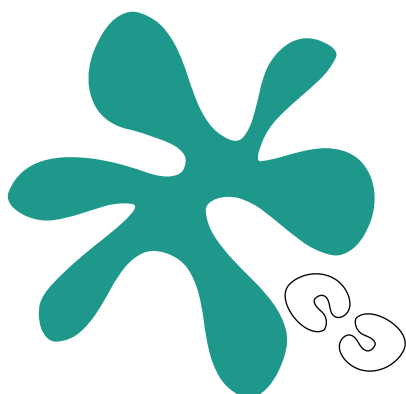
Self-determination is an essential pre-requisite for improving safety and wellbeing outcomes for Aboriginal and Torres Strait Islander children, and it is fundamental at all points of contact with child and family service systems. Government and other non-Indigenous service providers need to progressively step away from direct service provision and invest in and implement a range of participation mechanisms that support effective Aboriginal and Torres Strait Islander peak body, service, family and child participation.

OUTCOMES HARVEST THEMES IDENTIFIED IN ALIGNMENT WITH **BUILDING BLOCK 2**

- Transfer of resources to Aboriginal and Torres Strait Islander community control (move to investing in Aboriginal and Torres Strait Islander decisions).
- Increased and fully implemented delegated authority in child protection.
- Independent Aboriginal and Torres Strait Islander voice.
- Improved participation by Aboriginal and Torres Strait Islander children and families.
- Investing in Aboriginal and Torres Strait Islander cultural solutions.

CRITICAL QUESTIONS FOR **BUILDING BLOCK 2**

1. How can the successor plan address disparities in some states and territories where there is limited investment in Aboriginal and Torres Strait Islander organisations, leadership and solutions?
2. What is the role of non-Indigenous organisations in supporting Aboriginal and Torres Strait Islander self-determination in child and family services?
3. How can the successor plan increase participation of Aboriginal and Torres Strait Islander children and families in decision-making across the continuum of child and family services engagement?
4. How can the successor plan ensure that Aboriginal and Torres Strait Islander people have leading roles in the design, implementation and oversight of legislation, policies and programs for Aboriginal and Torres Strait Islander children and families?
5. How will we know we are succeeding to implement Building Block 2? What are the key measures and targets to focus on?



BUILDING BLOCK 3: LAW, POLICY AND PRACTICE IN CHILD AND FAMILY WELFARE ARE CULTURALLY SAFE AND RESPONSIVE

Achieving this building block requires the development of legislation, policy and practice that respect Aboriginal and Torres Strait Islander cultures and reflect the priority to reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection systems. A systems reform agenda to address over-representation must include: the full implementation of the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle; amendment of laws, policies and procedures which discriminate against Aboriginal and Torres Strait Islander children; and the development of cultural safety and competence across the child and family service sectors.

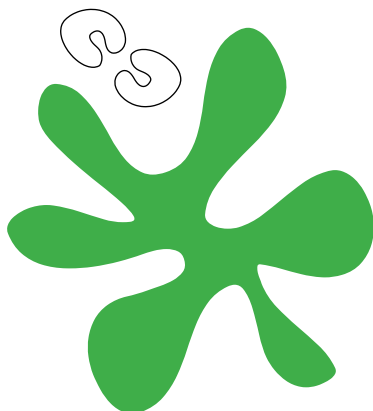
Aboriginal and Torres Strait Islander leadership and participation in decisions across the spectrum of child and family welfare are also critical to ensure genuine responsiveness to needs, and decisions in the best interests of Aboriginal and Torres Strait Islander children. While legislation change remains the responsibility of individual states and territories, and the Commonwealth, at a national level, the implementation of national standards, targets and measures for family support, child protection and out-of-home care systems can also be used to drive system transformation.

OUTCOMES HARVEST THEMES IDENTIFIED IN ALIGNMENT WITH BUILDING BLOCK 3

- A transformed child protection system with a focus on keeping Aboriginal and Torres Strait Islander children safely in their family and community.
- A change in focus from child protection intervention to family support.
- Legislation and policy changes to strengthen the application of the Aboriginal and Torres Strait Islander Child Placement Principle.
- A system grounded in self-determination and focused on healing.
- Strengthening oversight functions of Aboriginal and Torres Strait Islander people and organisations.
- A focus on connection to culture.

CRITICAL QUESTIONS FOR BUILDING BLOCK 3

1. What would a transformed child and family service system that focuses on keeping children safe in their families and communities look like?
2. How can the successor plan support increased active efforts to implement the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle?
3. How can the successor plan build the Aboriginal and Torres Strait Islander workforce for supporting children and families?
4. What measures are needed to improve the cultural safety and competence of the non-Indigenous workforce and non-Indigenous organisations?
5. How will we know we are succeeding to implement Building Block 3? What are the key measures and targets to focus on?



BUILDING BLOCK 4: GOVERNMENTS AND SERVICES ARE ACCOUNTABLE TO ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

The persistent, escalating rate of removal of Aboriginal and Torres Strait Islander children into out-of-home care is a national crisis that requires a clear and concerted national response. Efforts to address this crisis need to include public measures of accountability, progress towards public understanding of Aboriginal and Torres Strait Islander cultures and the drivers of systemic inequality, intensive work on attitudinal change with key decision-makers and the broader public, and the development of Aboriginal and Torres Strait Islander oversight.

Roles for oversight should include adequately resourced Aboriginal and Torres Strait Islander peak bodies in each jurisdiction and dedicated roles for Aboriginal and Torres Strait Islander children's commissioners. Challenging explicit and implicit racism is also fundamental to improving wellbeing and driving the necessary system change. The public needs to hold governments accountable for their obligations to securing basic Aboriginal and Torres Strait Islander rights and creating a child and family welfare system that is responsive to Aboriginal and Torres Strait Islander children's needs. Targets are essential to drive this focus and support resource allocation and outcome monitoring.

OUTCOMES HARVEST THEMES IDENTIFIED IN ALIGNMENT WITH **BUILDING BLOCK 4**

- The need to set targets for outcomes, and to define outcomes from an Aboriginal and Torres Strait Islander community perspective.
- Systemic change.
- Improved oversight functions.
- Independence in role and funding of Aboriginal and Torres Strait Islander organisations.
- Strengthening accountability for implementation of the Aboriginal and Torres Strait Islander Child Placement Principle.
- Government and community partners are guided by self-determination in the delivery of programs and services.
- Leadership of Aboriginal and Torres Strait Islander people in government and in training and development of government staff.
- Improved cultural capability of the system.

CRITICAL QUESTIONS FOR **BUILDING BLOCK 4**

1. What would appropriate and effective Aboriginal and Torres Strait Islander oversight and governance functions for the successor plan look like?
2. What approach should be taken to setting targets for outcomes? What are important measures of success for the successor plan?
3. How can the plan support genuine Aboriginal and Torres Strait Islander leadership and self-determination in advancing the rights of children?
4. How can Aboriginal and Torres Strait Islander communities and leaders be involved in the process of gathering, accessing and monitoring outcomes data?
5. How will we know we are succeeding to implement Building Block 4? What are the key measures and targets to focus on?



HOW TO PROVIDE INPUT

Written submissions to the co-design process are invited by close of business Wednesday 14 April 2021.

Please send submissions to submissions@snaicc.org.au

An online survey is available and can be completed at www.snaicc.org.au/protecting-australias-children
The survey will take around 30 minutes to complete.

If you wish to take part in a video conference or telephone consultation, please register your interest www.snaicc.org.au/protecting-australias-children

