



SNAICC

National Voice for our Children

**Development of options for a South Australian
Aboriginal Children and Families Peak Body:
Final Report**

August 2022

SNAICC – National Voice for Our Children

Acknowledgements

This report has been developed by SNAICC – National Voice for our Children. SNAICC acknowledges the Traditional Custodians of Country throughout Australia and their continuing connections to land, waters and communities. We pay our respects to Aboriginal and Torres Strait Islander cultures and Elders past, present and emerging.

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SNAICC also acknowledges the South Australian Department for Child Protection, who have funded this work. The views in this publication do not necessarily reflect those of the South Australian Government.

Note regarding language

This report primarily uses the term 'Aboriginal' to refer to people who identify as Aboriginal, Torres Strait Islander, or both Aboriginal and Torres Strait Islander. SNAICC has been advised that this term is preferred by Aboriginal South Australians.

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List of consultation findings: agreed peak body elements

Finding 1: The central undertaking of the peak body should be to hear, support and represent Aboriginal children, families and communities, along with Aboriginal organisations working in the child and family service sectors, and to amplify their voices in the design and implementation of legislation, policies and practices that affect child and family wellbeing.

Finding 2: The peak body should balance representation of the needs, priorities and aspirations of Aboriginal children, families and communities with those of the Aboriginal community-controlled children and families service sector. Its leadership and management should include, and its work should be driven by, both cohorts.

Finding 3: The purpose of the peak body should be stated as follows: ‘to be a community voice for Aboriginal children in South Australia, working to ensure that they grow up strong in their families and connected to community, culture and Country’.

Finding 4: The functions of the proposed peak body should include:

- Advocacy/change leadership
- Undertaking shared decision-making with governments and holding governments accountable for their actions
- Policy design (including in partnership with governments) and analysis
- Research and knowledge translation
- Community engagement to reflect and represent the voices of community (including reciprocity and transparency in engagement)
- Service navigation and public messaging
- Sector development.

The proposed peak body should not directly deliver child and family wellbeing services.

Finding 5: The core focus of the peak body’s work should be on the child protection, family support, and early childhood education and development sectors, with strong links to other Aboriginal organisations and individuals whose work contributes significantly to child development and the wellbeing of families.

Finding 6: Membership of the peak body should be open only to Aboriginal people and Aboriginal community-controlled organisations based in South Australia. Employment or professional expertise in the child and family service sector should not be a requirement for individual Aboriginal community members to join the peak body. Membership tiers should seek to balance the influence of individual community members with that of organisational members.

Finding 7: The peak body should have a Board of between six and eight Directors, with a majority of Directors elected by the membership of the peak body. The Board should include both representatives of ACCOs and individual community representatives, with approximately 60% of Directors being community representatives. The Board should also retain the ability to have *ex officio* Directors appointed for particular expertise as and when needed. The Board will be tasked with providing strong cultural and corporate governance to ensure the peak body’s effectiveness and sustainability.

Finding 8: The Board of Directors should be supported by a Council made up of two members from each region of South Australia (one ACCO representative and one community representative), elected by the peak body members of each region. The role of the Council will be to represent regional priorities, set the peak body's overarching strategic direction, and appoint Board Directors on the basis of a skill and experience matrix.

Finding 9: The peak body should be legally constituted as a not-for-profit non-government organisation rather than a statutory authority of the South Australian Government. It should not be established through an auspice arrangement, but should be founded independently of any existing organisations.

Finding 10: The peak body must have strong relationships (including ongoing, reciprocal formal and informal engagement processes) with all relevant South Australian Government departments and independent statutory entities. These relationships should involve the regular provision of government data to the peak body and the involvement of the peak body in designing, implementing and evaluating relevant legislation, policy, programs and practice frameworks.

Finding 11: The peak body should become a member of the South Australian Aboriginal Community-Controlled Organisations Network (SAACCON) and of SNAICC – National Voice for Our Children.

Finding 12: Alongside the initial \$200 000 p.a. commitment from the South Australian Department for Child Protection, the peak body should also have a financial relationship (including both recurrent core funding and project-based funding) with the Department of Human Services, Department for Education, Department for Correctional Services, Attorney-General's Department and the SA Health portfolio. To support the efficient operation of the peak body, funding arrangements should strive to minimise reporting burdens and promote certainty of long-term financial resourcing.

List of recommendations to the South Australian Government

Recommendation 1: The South Australian Department for Child Protection, Department of Human Services, Department for Education, Department for Correctional Services, Attorney-General's Department, and the SA Health portfolio should develop a central funding agreement, with a total value of at least \$900 000 p.a. (indexed to inflation), to resource the peak body's core and recurring functions. This funding should be disbursed through a single agreement between the peak body and the South Australian Department of Premier and Cabinet, with a single set of reporting requirements. This agreement should be included in the 2023-24 State budget as an ongoing funding commitment. The provision of core funding will not preclude agencies from also establishing project-based funding arrangements with the peak body.

Recommendation 2: The South Australian Government should fund SNAICC – National Voice for Our Children to appoint an establishment steering committee from the South Australian Aboriginal community, and undertake secretariat functions to this committee, over a period of one year.

Recommendation 3: All South Australian Government agencies named in Recommendation 1, above, should consider how they could support the work of the establishment steering committee through the provision of in-kind services, infrastructure, or staff secondments. Agencies should communicate their support options to the establishment steering committee before the end of the 2022 calendar year.

Background to this project

The South Australian Government's *Aboriginal Affairs Action Plan 2021–2022* commits the Government to fund and deliver a peak body for Aboriginal children and families. South Australian community stakeholders, and Aboriginal organisations on the national scale, had called for a peak body for children and families in South Australia for many years. This commitment from the Government provides a significant opportunity to enliven the community's ambition to increase Aboriginal leadership for children and families. It also aligns with a key tenet of the *National Agreement on Closing the Gap* (the National Agreement).

Finalised in July 2020, the National Agreement marks the first time that the Closing the Gap policy platform has been developed in genuine partnership with Aboriginal and Torres Strait Islander people, communities and organisations. It also stipulates that all future decisions and actions taken under the Closing the Gap framework must also be arrived at through such partnerships. The National Agreement sets out four Priority Reforms — systemic changes to the way governments and non-Indigenous organisations operate, which constitute essential preconditions to the achievement of individual targets under Socioeconomic Outcome Areas.

Priority Reform Two commits all signatories to building strong, formal Aboriginal and Torres Strait Islander community-controlled sectors to deliver services to support Closing the Gap, and stipulates that a strong community-controlled sector is one in which organisations delivering common services are supported by a Peak Body, governed by a majority Aboriginal and Torres Strait Islander Board, which has strong governance and policy development and influencing capacity. This project therefore represents one of the most significant actions yet undertaken by a government pursuant to Priority Reform Two.

SNAICC – National Voice for Our Children (SNAICC), the national peak body for Aboriginal and Torres Strait Islander children's safety, development and wellbeing, was selected to partner with the Department for Child Protection to facilitate the design of the proposed South Australian peak body by consulting extensively with the Aboriginal communities of South Australia. SNAICC's agreement with the Department for Child Protection provided that, in the process of developing options for a South Australian peak body representing the interests of Aboriginal and Torres Strait Islander children and young people, SNAICC should:

'employ various methods (i.e. workshops, teleconferences, interviews) to consult with stakeholders, including the South Australian Aboriginal Community Controlled Organisations Network, the Commissioner for Aboriginal Children and Young People and the broader South Australian Aboriginal community, to develop options for a peak body in South Australia.'

SNAICC is firmly of the view that peak bodies must be community-designed, community-controlled and independent of government to align with their core purpose; as such, the central aim of this project is for the design of the proposed peak body to be driven by the Aboriginal community and community-controlled sectors of South Australia.

Accordingly, this report reflects the views of Aboriginal people, families, communities and organisations who participated in the State-wide consultation process by sharing their experiences, concerns, and aspirations for the future wellbeing of their children and family members.

Objectives and principles of the engagement process

Genuine engagement with a broad range of stakeholders will be a crucial determinant of any Peak Body's effectiveness and the degree to which it encapsulates the needs and priorities of Aboriginal children, families, and communities across South Australia. Engagement is also necessary to fully reflect Aboriginal people's right to self-determination through having a say in the policies and programs that affect their lives, in line with the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and the National Agreement.

With this in mind, the primary objectives of the engagement process were:

- To provide Aboriginal organisations and other key stakeholders with opportunities to drive the design of an Aboriginal children and families peak body.
- To support Aboriginal families and children to contribute through their representative organisations.
- To ensure that the development of the proposed peak body reflects the diverse views and aspirations of Aboriginal communities across South Australia.
- To ensure that we adopt a culturally safe and trauma-informed approach to engagement, despite the impacts that COVID-19 may have on our ability to undertake primary engagement in a face-to-face manner.
- To build buy-in and support for the proposed peak body, within the South Australian child and family wellbeing sector and Aboriginal communities, by promoting a collaborative approach that sees key stakeholder organisations directly involved in the process of designing the peak body.
- To ensure that the engagement process captures the perspectives of recognised sector experts, particularly Aboriginal leaders, ensuring that the design of the peak body is evidence-based and leverages off existing strong examples nationally.

SNAICC's approach to engagement was guided by the following principles:

- Capturing the voices of Aboriginal community members
- Supporting Aboriginal self-determination and empowerment
- Ensuring cultural safety
- Utilising existing networks
- Adopting an inclusive, tailored and multifaceted approach
- Effectively managing expectations
- Practicing reciprocity by providing quality, transparent feedback
- Gathering a strong evidence base.

Consultation Methodology

Phase 1 — Scoping and individual meetings

Upon commencing this project, SNAICC undertook a comprehensive stakeholder audit/mapping exercise to identify key stakeholders in all relevant service, advocacy and policy sectors. Initial individual consultations were held with seven major organisations in the community sector (primarily Aboriginal community-controlled organisations) and with the Commissioner for Aboriginal Children and Young People, April Lawrie.

Commissioner Lawrie's extensive engagement with Aboriginal children and young people (through Youth Forums) and community members (through Community Conversation Forums) had been a key vehicle for capturing the community's advocacy for an Aboriginal peak body for children and families.¹ The SNAICC team made the decision to collaborate with Commissioner Lawrie to enhance their engagement process with the Aboriginal community of South Australia. SNAICC consulted with the Commissioner's Office on identifying stakeholders and locations for face-to-face community workshops, planning, and providing ongoing feedback. SNAICC communicated directly with local-level stakeholders and promoted and facilitated all workshops to ensure that the consultation process was independently driven by the Aboriginal community.

Following initial meetings with key stakeholders, a Scoping Study was undertaken to explore the lessons that could be learned from current (and past) mechanisms for representing Aboriginal and Torres Strait Islander peoples and their community-controlled organisations around Australia. The Scoping Study involved desktop research and a series of targeted meetings with existing peak and representative bodies for Aboriginal and Torres Strait Islander children and families currently operating in Queensland (Queensland Aboriginal and Torres Strait Islander Child Protection Peak), New South Wales (AbSec – NSW Child, Family and Community Peak Aboriginal Corporation) and Victoria (Victorian Aboriginal Child Care Agency and The First Peoples' Assembly of Victoria). The Scoping Study Report sought to identify key themes and recurring factors from the experiences of these, and other, organisations, and to pose key questions for consideration in the workshop process with respect to how these themes could be reflected in the formulation of a new Peak Body.

Phase 2 — Community workshops

Following the completion of the Scoping Study Report, eight face-to-face workshops were held across South Australia. These workshops were attended by a diverse range of stakeholders, including staff of Aboriginal community-controlled organisations whose work encompasses child and family safety and wellbeing (with a combination of frontline and senior management-level staff); Aboriginal people working in other relevant organisations (including family support services, health services, schools, and early childhood education and care services); Aboriginal community advocacy groups; Aboriginal academics whose research focuses on child and family wellbeing; and Elders and other community leaders.

- Workshops in Port Adelaide, Southern Adelaide (Onkaparinga), Port Pirie, Port Augusta and Ceduna took place in December 2021. The SNAICC team presented a summary of the

¹ South Australian Commissioner for Aboriginal Children and Young People (2019). *'Be Seen. Be Heard. Flourish.'* *What Matters to Aboriginal Children and Young People, their Families and Communities: Inaugural Report*. South Australian Government: Adelaide, p. 14.

themes identified in the Scoping Study report as being key characteristics of an effective peak body. Stakeholders discussed the ways in which these themes could be operationalised in the South Australian context and the implications of the proposed peak body for Aboriginal children, families and service providers in South Australia.

- Workshops in Mount Gambier and Murray Bridge took place in March 2022. At these workshops, the SNAICC team recapped key learnings from the first set of five workshops and set out a range of options for the governance of the proposed peak body. Stakeholders provided extensive feedback on how these options would fit with the current policy and service landscape and with the peak body's potential functions.
- A final consensus-building workshop, attended by key Aboriginal sector and community leaders, was held in Adelaide in late April 2022. At this workshop, SNAICC tested the draft recommendations arising from previous consultations and sought participants' views on any remaining issues with the chosen model. Participants reached strong consensus on the final details of the model for the proposed peak body, thereby allowing SNAICC to make any necessary amendments before finalising its recommendations to the Department of Child Protection.

In total, 98 people attended the seven workshops. Of this number, 81 (83%) were Aboriginal and/or Torres Strait Islander people, from a total of 33 First Nations across Australia, including:

- Aboriginal people from 18 nations in New South Wales, Victoria, Queensland, Western Australia, Tasmania and the Northern Territory
- Torres Strait Islander people from two nations in the Torres Strait
- 63 people from 15 Aboriginal nations in South Australia (the Mirning, Kokatha, Wirangu, Barngarla, Nukunu, Pitjantjatjara, Nauo, Antakirinja, Arabana, Kurna, Narungga, Ngarrindjeri, Ramindjeri, Binjali and Boandik nations).

Following the April consensus-building workshop, SNAICC refined the remaining details of the proposed model and re-tested the final recommendations in a series of five virtual meetings (held in June and July 2022) to which all previous consultation participants were invited. This final step confirmed that the recommendations presented in this report were made on the strongest possible foundation of community consensus. Furthermore, by 'closing the loop' and showing participants how their input had fed into the final recommendations, it ensured that the SNAICC team practiced reciprocity (in line with the commitment made in 'Objectives and principles of the engagement process' above) for the time and expertise generously shared by South Australian Aboriginal community members and allies.

Key Consultation Questions

An important aspect of the face-to-face workshops was to guide input towards specific elements of the Peak Body's design, while still enabling community members to draw upon their lived experience in discussion. Accordingly, the following key questions were adapted from the Scoping Study Report for discussion at the first two rounds of workshops:

- What opportunities currently exist for Aboriginal children and families to participate effectively in the development of laws, policies and service delivery programs? Are there any clear gaps? How could existing opportunities be strengthened?

- What role should the new Peak Body play to support Aboriginal children and families, either directly or indirectly through a focus on the Aboriginal child and family sector?
 - How should the voices, aspirations and priorities of Aboriginal children and families drive the Peak Body's work?
- What roles do other stakeholders in the Aboriginal child and family sector currently play? How can the new Peak Body complement and enhance the work undertaken by others?
 - What key strategic relationships could support the operations of the new Peak Body during its establishment phase?
 - Based on the identified priorities of the new Peak Body, what other relationships or partnerships could be explored?
- What activities are likely to be most critical to prioritise for the new Peak Body?
- What mechanisms/processes could be established to ensure an ongoing working relationship between the Peak Body and South Australian government agencies? What should the relationship with the Commonwealth Government be?
- How much emphasis will be placed on government funding for the new Peak Body? What might a longer-term funding model look like?
 - What independent funding sources could potentially be explored in the short and medium term?
- Based on the priorities identified for the new Peak Body, what are the advantages and disadvantages of a statutory authority compared with a non-government organisation?
- What role should key sector organisations and agencies play in the governance, decision-making, advising, and/or oversight of the Peak Body?
- What role should Aboriginal children and families play in the governance, decision-making, advising, and/or oversight of the Peak Body?

Consultation Challenges

As noted above, COVID-19 risks and restrictions meant that SNAICC's plan to hold face-to-face consultations around South Australia was repeatedly interrupted and delayed. In particular, efforts to arrange a face-to-face workshop in the Riverland region were unfortunately stymied by COVID-19 outbreaks in that area.

The Department for Child Protection granted an extension to the project timeframe, in order to enable SNAICC to undertake as broad and inclusive a consultation process as needed and to ensure that community views were properly captured.

Key themes emerging from consultations: overview

Drawing on the lessons from both current and past organisations, the Scoping Study Report identified five interrelated themes as to why Aboriginal and Torres Strait Islander peak and representative bodies across the country had been able to build and sustain their influence (or, conversely, had been hampered in their effective operation). These themes are shown in Figure 1 below.

Figure 1 **Key themes of effective peak bodies**



These themes were used to broadly structure discussions at the face-to-face workshops, where stakeholders indicated that all five themes were indeed relevant to the South Australian context and considered how they should best be reflected in the design of the proposed Peak Body. Workshop discussions also identified important sub-elements for several of these themes, which are set out below.

Theme 1: Representing and being responsive to the needs and aspirations of Aboriginal children, families and communities

Stakeholders strongly agreed that the critical element of success is that a peak body must represent, and be responsive to, the needs and aspirations of Aboriginal children, families and communities. This will be crucial to ensuring that governments are genuinely hearing the views of Aboriginal children and families collectively, rather than those of individual peak body staff or directors.

Throughout the entirety of the consultation process, stakeholders made it very clear that the wellbeing of Aboriginal children is relational – it is inextricably tied to that of their families as a whole. The peak body therefore could not maximise its effectiveness if it was not working for Aboriginal children *and families* simultaneously. Further, the peak body would be unlikely to build the trust and confidence of Aboriginal peoples if it was not seen to be working for holistic family wellbeing but rather viewing children as separate entities to their families and broader communities.

When we talk about the wellbeing of children, we need to talk about the wellbeing of their whole family – the centrality of family in Aboriginal cultures means that a child cannot truly thrive while disconnected from their family, or if their family is suffering. (Participant, Port Adelaide workshop)

Representation of children has to include relationality – relationships with the communities that care for children, not just speaking about them. If the peak body doesn't do this, then it can't be said to be truly prioritising Aboriginal cultural authority. (Participant, Murray Bridge workshop)

1A. Absence of current opportunities for Aboriginal community members to meaningfully participate in the policy process

It was clear that stakeholders placed particular importance on Theme 1 due to a current absence of opportunities for Aboriginal children, families, communities and organisations to have their voices genuinely heard in the design and implementation of legislation, policies, programs and practices that affect children and families. Participants told us that, except for the Commissioner for Aboriginal Children and Young People, government agencies tend to view Aboriginal input as 'nice to have' rather than an essential component, and that the limited opportunities that exist tend to arise on an ad hoc basis at the level of individual programs or projects, rather than on a systematic and ongoing basis.

Co-design language is used a lot, but co-design doesn't actually happen – government agencies don't take on board what the community voice is saying. Community voice can be strong and challenging, but ultimately ACCOs that rely on government funding – especially in short-term cycles – can be reluctant to push too hard in case they bite the hand that feeds them. It's the same for Aboriginal people working in government agencies. ... Individual community members don't usually have that problem – they have more scope to speak freely. This is why the Peak body needs to have a mechanism for direct community input – it can set the long-term vision for concentrating and channelling other voices, and can hold governments accountable when they ignore these voices. (Participant, Southern Adelaide workshop)

We attend government forums and have our say, but our contributions don't seem to reach the higher levels where the decisions are actually made. It seems as if our communities are not trusted to be genuine authorities on our own lives. (Participant, Port Pirie workshop)

Aboriginal input is routinely disregarded when it proposes something too different to the normal way in which government works. We have all been approached to provide an Aboriginal model to work with community, then seen our recommendations watered down immediately and come back from government agencies as the same old one-size-fits-all Western model that doesn't suit Aboriginal contexts. (Participant, Southern Adelaide workshop)

This results in systems and services being designed from a Western-centric perspective that is effectively blind to the specific needs and concerns of Aboriginal children and families (including the fact that many Aboriginal families are reluctant to engage with non-Indigenous support services due to fears that the reactive and punitive child protection system will become involved).

The overarching problem at the moment is that the system makes decisions for Aboriginal children from a non-Indigenous lens. When this is the case, all the good intentions in the world will still not result in an outcome that is truly best for our children. (Participant, Port Adelaide workshop)

Sometimes referrals to services are made without the family even being involved in case planning. This scares families away from properly engaging with those services because they are anxious all services are looking to remove children. We run a young mothers' group but Aboriginal women won't come near it – they feel like as soon as they walk in the door they will be notified to the Department for Child Protection for 'needing help'. (Participant, Ceduna workshop)

Aboriginal families in our region see that the services aren't designed for them but for a particular type of white, nuclear, working family. ... They disregard our family structures and our child-raising methods – so many grandparents who are informal carers receive no help from governments. The agency doesn't understand that these grandparents take on children even if they can't afford it without help, because they don't want them to get into the traumatic child protection system at all. (Participant, Port Augusta workshop)

Another consequence is governments failing to understand the importance of Aboriginal people being able to access services from Aboriginal organisations (usually ACCOs) rather than non-Indigenous NGOs or government agencies, which often results in funding being redirected from ACCOs to non-Indigenous organisations and affects ACCOs' financial sustainability. As the National Agreement makes clear, community control of services is not just a preference of many Aboriginal people but also an act of self-determination, and governments around the country now have a responsibility to support it by strengthening the community-controlled sector through increased funding.

It is still very difficult for Aboriginal children and families to access services from ACCOs in Port Pirie. Twenty years ago we had quite a few options but most of them were mainstreamed into the big NGOs or back into government. (Participant, Port Pirie workshop)

ACCOs need to be properly funded to do their core work for Aboriginal people – our positions are still being defunded. For a short time AFSS even had peak funding from the Commonwealth when they were still the AICCA, but that was discontinued. (Participant, Ceduna workshop)

The ACCO sector's single most significant need at present is for the South Australian Government to redirect funding and case-management responsibilities for the care and support of Aboriginal children and families towards ACCOs. But this is rarely recognised by governments. (Participant, South Adelaide workshop)

ACCOs in our region are usually overlooked by governments when it comes to funding for services to Aboriginal families. Sometimes we will have funding for a pilot project, but after it turns out successfully, it will be taken away and given to a non-Indigenous organisation. When this happens many families will drop out of a program altogether – they don't want to have anything to do with those organisations. (Participant, Port Augusta workshop)

1B. Need for the peak body to directly reflect the voices of children, families and communities

While many participants highlighted a need for the proposed Peak Body to advocate for ACCOs in order to help strengthen their role in policy design and service delivery, they also stated very clearly that the Peak Body must not *only* represent ACCOs. It must also strongly reflect the voices of children and families, local representative structures, and communities (including grassroots community groups – like Grannies’ Groups and the state Family Matters campaign – which have long histories and important roles in the South Australian context).

This is different to some other peak bodies, which primarily represent formal organisations, such as those in the community-controlled sector, through their membership bases (examples include the Queensland Aboriginal and Torres Strait Islander Child Protection Peak and the Aboriginal Health Council of South Australia). Stakeholders told us that, while a children and families peak focused *only* on the ACCO service sector would not be appropriate for the South Australian community, a peak that combined representation of children and families with representation of ACCOs would offer a good balance.

We have a strong vision for an Aboriginal-controlled system, with decisions made on the local community level instead of always being centralised in Adelaide. There has also been discussion around the idea of having an independent community panel to provide oversight of the child protection system... The bottom line is getting our communities involved in prevention, reunification, and so on – community members have so many connections and so much knowledge about how to help families, but this is almost never used except for some occasional tokenistic consultation on placements. (Participant, Southern Adelaide workshop)

There will need to be an accountability mechanism to make sure the peak meets its obligations to community. Sometimes I feel like ACCOs are becoming disconnected from grassroots community groups because they work so closely with governments – although of course their funding arrangements mean that they have to. (Participant, Port Adelaide workshop)

Diversity of community voice and regional voice is very important – different families in different places will have different priorities... The peak needs to build relationships of trust and confidence with community; take on the expertise and cultural knowledge of Elders and people with lived experience that is sometimes missing from the sector otherwise. (Participant, Port Pirie workshop)

The impacts of colonisation in the Far West Coast area have meant that Aboriginal people in the region are often more likely to listen to a white settler for important information or decisions, rather than local Aboriginal knowledge-holders. To combat this, the structure of the peak will need to place weight on the importance of local/regional community expertise, not just be driven by organisations headquartered in Adelaide. (Participant, Ceduna workshop)

The thread of Aboriginal children’s voice is something we need to work really hard on every day. In child protection there is clear evidence of a lack of valuing Aboriginal children’s voice, particularly for children in out-of-home care. There should be a requirement to teach children that they have rights – including to be heard and to participate in the decisions that affect their lives. (Participant, Southern Adelaide workshop)

This indicates that Aboriginal children and families will need to have a direct voice in driving the work of the peak body – this could be set out in its constitution and could also occur through the inclusion of specific positions for community members in the governance structure (the discussion of Theme 3, below, provides more detail). Consulting widely and deeply, on a regular

basis, would also be an important activity for the peak body to understand the concerns and priorities of the communities and organisations that it represents.

Finding 1: The central undertaking of the peak body should be to hear, support and represent Aboriginal children, families and communities, along with Aboriginal organisations working in the child and family service sectors, and to amplify their voices in the design and implementation of legislation, policies and practices that affect child and family wellbeing.

Finding 2: The peak body should balance representation of the needs, priorities and aspirations of Aboriginal children, families and communities with those of the Aboriginal community-controlled children and families service sector. Its leadership should include, and its work should be driven by, both cohorts.

In workshopping a concrete overarching purpose (or ‘mission statement’) for the peak body, participants agreed that the purpose should clearly focus on the interests of Aboriginal children (and the crucial importance of their right to grow up in their families and communities), but should be able to encompass a broad range of the policy areas that affect their safety, development and wellbeing.

Specific suggestions for the peak body’s statement of purpose included:

- *All children – including children in care (and care leavers) – need a specific voice. (Participant, Mount Gambier workshop)*
- *Focusing on the rights of children and families is not enough alone. It’s not just the purpose, but how you go about it – children must be central to the decision-making process. Too often there isn’t anybody speaking for Aboriginal kids themselves. (Participant, Adelaide consensus-building workshop)*
- *Acknowledge, or avoid excluding, the rights of Aboriginal children who are not living currently with their mob – they also need support for their connections to culture, community, and Aboriginal ways of being. (Participant, Mount Gambier workshop)*
- *The purpose must highlight the centrality of families to growing our children up. It’s more than just connection to family, it’s about growing up strong in their families ... and this helps to capture the structural supports that all families need. (Participant, Adelaide consensus-building workshop)*
- *Housing insecurity is a particular problem for Aboriginal families in South Australia. Could the purpose refer to ‘secure, stable homes’ or would that be straying too far from the child and family focus? (Participant, Mount Gambier workshop)*

It was also noted that the purpose of the peak body should not mirror too closely the language used to set out the remit of the Commissioner for Aboriginal Children and Young People in the *Children and Young People (Oversight and Advocacy Bodies) Act 2016* (SA). Given that the Commissioner’s role is a statutory one, underpinned by an international legal framework (including the United Nations Declaration on the Rights of Indigenous People and Convention on the Rights of the Child), it is helpful to clearly differentiate the role and nature of the community-controlled peak body so that confusion can be avoided.

After extensive discussion and many iterations, participants reached a strong consensus on the peak body’s statement of purpose as set out in Finding 3. This provides a clear foundation of community authority upon which the peak body can commence its work.

Finding 3: The purpose of the peak body is as follows: 'to be a community voice for Aboriginal children in South Australia, working to ensure that they grow up strong in their families and connected to community, culture and Country'.

Theme 2: Fulfilling a clear, well-defined purpose and role

Aboriginal peak and representative bodies across the country undertake a wide variety of roles and activities. Given the broad nature of possible functions, one of the most important tasks for an effective peak body is to develop role clarity in relation to all aspects of its operation.

In learning from the experiences of past and current peak and representative bodies, the Scoping Study found that a lack of role clarity can lead to several issues, including failure to meet community expectations, organisational inefficiency and ineffectiveness, perceived competition with other stakeholders and potential misalignment of reform agendas. To minimise the risk of these issues arising, the role of the proposed peak body should be clarified along the following lines:

2A. Fulfil an identified need and imperative

Effective and sustainable peak bodies have been able to fill an identified and commonly agreed gap in their sector's landscape. A clear understanding of the specific needs of the child and family sector, and the particular roles that a new peak body should play, are essential to ensure that the new peak body functions as a 'value-add' that complements and enhances existing sector efforts, rather than competes with existing stakeholders. The Scoping Study Report also identified the importance of the new peak body committing to a small number of targeted activities, rather than pursuing a broad and vague purpose. An overly broad remit can lead to a number of challenges, including:

- unrealistic expectations that the organisation be 'all things to all people';
- governance structures that are overly bureaucratic;
- performing multiple activities that can create conflicting responsibilities (for example, a single body undertaking advocacy, policy development, program delivery and evaluation).

Overall, participants indicated that the following functions are currently areas of need where Aboriginal children and families are concerned, and should therefore be the highest-priority functions for the peak body.

- Change leadership: advocating to governments on behalf of Aboriginal children, families, community groups, the ACCO sector, and other Aboriginal people working in the child and family wellbeing sectors. This advocacy can pursue improvements in legislation, policy, funding streams, programs and practice, and could be undertaken in collaboration with other organisations (such as the Family Matters South Australia campaign and other Aboriginal community-controlled peak bodies) when appropriate.
 - The peak body would also need to be involved in representing community members' views in overarching processes like Closing the Gap (through the South Australian Aboriginal Community-Controlled Organisations Network), and to SNAICC on the national level.
 - While some stakeholders suggested that the peak body could take on the role of advocating for individual cases of children or families involved with child protection systems, the majority agreed that the peak body's focus should be on working for the Aboriginal community as a whole (that is, by advocating for change on a systemic level). It was pointed out that advocacy for Aboriginal children and families is already

undertaken by Aboriginal legal services and the Office of the Guardian for Children and Young People, and that duplicating these efforts may not be the best use of the peak body's resources.

The Department for Child Protection has a responsibility to Aboriginal children to develop a culturally safe 'triage' system as the first level of response to a child protection notification, and this should ultimately be part of a trauma-responsive, healing-focused service framework. The peak should be a key party in pushing for this change. (Participant, Port Adelaide workshop)

The peak needs to work to shift government attitudes about human service sectors – away from scarcity and putting staff under enormous pressure, to a more sustainable model. A big part of this will be to have our cultural skill sets recognised inside and outside governments... there is so little appreciation for what we bring to the table in terms of mob being able to deal with mob for their cultural safety and confidence. (Participant, Port Pirie workshop)

- Policy and research: operationalising the improvements the peak body seeks in its advocacy work (that is, working in partnership with government agencies to design changes to legislation, policy, programs and funding mechanisms); writing submissions to policy processes in other relevant fields; building the South Australian evidence base for Aboriginal child and family wellbeing, and helping to translate this evidence into practice.

A community-driven research agenda would be a key method to amplify the voices of Aboriginal children and families. This would also benefit the SA Government, as they would be able to tap into this knowledge base on a continuous basis rather than starting from scratch with new consultations for every initiative. But the governance structure would need to embed the community voice, so that directors from ACCOs or academia could not dominate the research direction – given that they usually already have resources for research in their other roles. (Participant, Southern Adelaide workshop)

We need a channel for knowledge translation, for getting the existing evidence into the minds of the decision-makers. There's no need to reinvent the wheel when so much quality research has already been done by our academics, but governments don't really seem to make an effort to find and prioritise Aboriginal evidence. (Participant, Murray Bridge workshop)

- Community engagement: consulting regularly with Aboriginal communities and community-controlled organisations to hear about their concerns and priorities, in order to reflect these in the peak body's advocacy work.

Going into communities to find out their first priorities for the peak, the leadership will need to embrace a conversation about what will it take to address the issues community members are highlighting. That way they are not merely imposing a set of solutions on the community, but rather supporting self-determination at the nation level. (Participant, Port Adelaide workshop)

- Service navigation and public messaging/keeping the community informed: connecting individual families and community members with organisations that can help them with issues relating to child and family wellbeing; publicising useful information to community members to help inform them of their rights and the obligations of governments and service providers to uphold those rights.

There is an absence of a 'system navigator' function in SA, which the peak could do very effectively. It could disseminate information about the system and service sector to communities and families so they know before a challenge arises where they can go to access particular types of support and what they are entitled to do. The existing ACCOs in the child and family space are under far too much pressure to perform this function, but there is a lot that is not known about the system and if

families don't approach the right provider they may never find out. (Participant, Southern Adelaide workshop)

- Oversight: reviewing and analysing the performance of government agencies in fields affecting Aboriginal children and families' wellbeing (as the annual Family Matters Report does on a national level). Many participants also suggested that government agencies should be encouraged to proactively and transparently report their work to the peak body.

The peak needs to establish a mechanism where governments report directly to community on the things that matter to them – this is real accountability, rather than Aboriginal people and organisations reporting upwards to government all the time. (Participant, Port Pirie workshop)

- Sector development: supporting the workforce in the Aboriginal child and family wellbeing space to network, exchange knowledge and optimise their practice.
 - Some participants noted that the delivery of formal professional development and training may be outside of the peak body's initial capacity as a small organisation with limited operational funding. They also noted that there are already many skilled Aboriginal trainers in the child and family wellbeing sectors. However, it was suggested that the peak could add value by playing a 'broker' role in connecting service providers with trainers and advocating for Aboriginal-led training to be a requirement of delivering services to Aboriginal children and families.

Conversely, participants agreed that it would *not* be appropriate for the peak body to deliver services to children and families directly, because this would create a conflict of interest with the existing service delivery organisations that are intended to be members of the peak body.

Finding 4: The functions of the proposed peak body should include:

- ***Advocacy/change leadership***
- ***Undertaking shared decision-making with governments and holding governments accountable for their actions***
- ***Policy design (including in partnership with governments) and analysis***
- ***Research and knowledge translation***
- ***Community engagement to reflect and represent the voices of community (including reciprocity and transparency in engagement)***
- ***Service navigation and public messaging***
- ***Sector development.***

The proposed peak body should not directly deliver child and family wellbeing services.

2B. Work effectively with diverse stakeholders

Effective peak and representative organisations have generally been successful in working with and unifying diverse stakeholders to build the support that is necessary to deliver better outcomes for Aboriginal communities. In the South Australian context, there is a diverse range of stakeholders that play a role in delivering better outcomes for Aboriginal children and their

families. Participants told us that it would be crucial for the peak body to link in effectively with existing organisations and processes across the child and family policy landscape.

Upon establishment, the peak body will need to devote plenty of time to building its relationships with other Aboriginal organisations and setting the parameters for who does what, where, and how. These 'rules of engagement' should be consistent over time, so that all stakeholders have a clear idea of each other's responsibilities and areas of specialisation, and can plan effectively over the long term. Of course, it will also need to build relationships with non-Indigenous organisations. But the Aboriginal community-controlled sphere is where the decisions need to be made about how Aboriginal organisations can leverage their resources and skill bases to achieve outcomes together. (Participant, Murray Bridge workshop)

This reflected a key finding of the Scoping Study Report, which noted that a key challenge for some peak and representative bodies (particularly at the national level) had historically been an inability to adequately define the key relationships that each organisation has with other stakeholders. Developing a strong understanding of the current landscape therefore helps to inform decisions around what advocacy role the South Australian Aboriginal children and families peak body may play. One possible approach (adopted by many existing peak bodies) is to act as a single, unified voice that seeks to speak on behalf of its member or constitutive organisations. Another advocacy approach involves the peak body playing more of a 'behind-the-scenes' role to facilitate multiple but coordinated voices on issues of common interest. This requires understanding the role and functions of other key stakeholders and establishing an agreed view on the 'value-add' that the new peak body could offer.

Participants identified the following South Australian Aboriginal organisations (outside of government departments) as being key stakeholders in the child and family wellbeing space, with some focusing primarily on this policy area and others having it as a smaller component of their overarching work.

- The Family Matters South Australia campaign – advocates to the South Australian Government for child protection policy and practice improvements that support Aboriginal self-determination, promote cultural safety, and ensure Aboriginal children and young people grow up safe and cared for in family, community and culture. The campaign leadership group also scrutinises the performance of South Australian Government agencies in child protection and family support through participating in the annual development of the national Family Matters Reports.
- Aboriginal community-controlled child protection, family support and family safety services (including Aboriginal Family Support Services, Kornar Winmil Yunti, Nunga Mi:Minar, and InComPro) – deliver services to Aboriginal children and families engaged with the child protection system (including family support services, kinship and foster care services, and family reunification programs) and/or affected by family violence (including prevention and recovery programs and emergency assistance).
- Aboriginal community-controlled health services – deliver services that promote the physical, social and emotional wellbeing of Aboriginal children and families, including in the fields of maternal and child health, mental health, parenting programs, youth programs, wraparound family support/social work, Link-Up services, and alcohol/drug addiction support. Several health services also operate early childhood education and care centres. Health services also advocate to the South Australian Government for policy and practice improvements both individually and through the Aboriginal Health Council of South Australia (AHCSA).

- Aboriginal community-controlled legal services (Aboriginal Legal Rights Movement and Family Violence Legal Service Aboriginal Corporation) – provide free legal representation and case management to Aboriginal families, including in matters of family safety and in care and protection proceedings when children are removed.
- Aboriginal community-controlled early childhood education and care services – provide culturally appropriate care and learning experiences, including playgroups, day care and preschool, for Aboriginal children in their early years. Aboriginal education providers in South Australia are also represented by the South Australian Aboriginal Education and Training Consultative Council (SAAETCC), which advocates to South Australian Government agencies for the interests of Aboriginal children, families and educators in policy design and implementation. SAAETCC is auspiced by Tauondi Aboriginal College, which delivers (among many other courses) training in creating safe environments within organisations that provide services to children and young people.

Many locally- and regionally-constituted Aboriginal organisations – including Land Councils/ Traditional Owner corporations, cultural organisations, and Empowered Communities backbone organisations – also deliver a range of the above-listed services to children and families, and advocate to governments regarding these services, as part of their multidisciplinary community development work.

The Office of the Commissioner for Aboriginal Children and Young People, as an independent statutory agency, also undertakes scrutiny of South Australian Government agencies' actions and recommends improvements to policy and practice that reflect Aboriginal voice with regard to Aboriginal children and young people (with a broad remit that includes the areas of health and wellbeing, education, youth justice and child protection).

Alongside these Aboriginal organisations and networks, there are significant numbers of Aboriginal professionals working in government departments and non-Indigenous NGOs who deliver services to, or make policy affecting, Aboriginal children and families. These individuals are also important stakeholders in the peak body's policy and service landscape given that they will play a role in disseminating good practice throughout their organisations and generating buy-in to the peak body's work.

Sometimes Aboriginal staff members of non-Indigenous organisations – like Relationships Australia [South Australia] or CentaCare – are left out of the conversation because their overarching governance is not community-controlled. But they still do work closely with communities, and they cannot leave their Aboriginality at the door. There are Aboriginal people working in governments who have enormous knowledge and expertise too. All this expertise needs to feed into the peak's work somehow. (Participant, Port Adelaide workshop)

Similarly, the peak body's work will intersect with that of the CREATE Foundation (the national consumer body representing the voices of children and young people with an out-of-home care experience). Aboriginal academic researchers and research networks (such as the Aboriginal Communities and Families Research Alliance) also play a crucial role in developing and disseminating evidence about what Aboriginal children and families need to thrive.

Although the list above demonstrates that a broad range of service sectors affect the lives of children and families, participants agreed strongly that it would be unwise for a children and families peak to try to cover all these services in its membership and work. Rather, it should focus specifically on those sectors that do not already have a peak body – child protection and

family support – because an important first priority will be to increase governments’ recognition of the crucial role ACCOs (and other Aboriginal community governance structures) play in this space. Later, the new peak body could form strategic partnerships with other organisations and peaks on overlapping service areas. This could include working with AHCSA on maternal and child health, or SAAETCC on early childhood education.

The Scoping Study Report noted that, given the large number of relevant stakeholders, the process involved in working together to identify a commonly agreed role for any new peak body has enormous potential to unify a diverse range of organisations. In the historical example of establishing AbSec, an important early step involved working with stakeholders to develop and endorse a joint ‘Statement of Commitment’, which provided a strong basis to unite stakeholders both at the time of establishment and on an ongoing basis over the longer term. The breadth of consensus reached by participants all across South Australia in the current process is a promising indicator that a similar degree of unity and cooperation can be achieved around the role of the new peak body.

Finding 5: The core focus of the peak body’s work should be on the child protection, family support, and early childhood education and development sectors, with strong links to other Aboriginal organisations and individuals whose work contributes significantly to child development and the wellbeing of families.

Theme 3: Strong, inclusive and accountable governance

All participants placed a high value on governance, noting that this will have an enormous influence on how effectively the peak body can represent the views of Aboriginal children, families, communities and organisations, as well as being held accountable to them. The Scoping Study Report also recognised governance structures as an important way to promote inclusion and to reflect what the South Australian Aboriginal community had identified as being the primary role and functions of the peak body.

The Scoping Study's discussions with existing peak and representative bodies identified several key learnings in relation to effective governance:

- **Board expertise** is crucial (particularly in the early days of an organisation's operation) to ensure that processes are carried out efficiently and comply with legal requirements.
- **Stability** in the composition of governance structures, and consistency of processes, are important to an organisation's ability to develop and execute long-term plans.
- **Evolution** of governance structures may be necessary if the needs of the peak body shift over time (depending on how the broader policy and service landscape progresses).

As noted in the discussion of Theme 1 above, an important lesson from the operation of existing Aboriginal peak and representative bodies is the critical importance of ensuring accountability to Aboriginal children and families. An organisation's governance plays a valuable role in terms of accountability to Aboriginal children and families, with a clear governance structure operating to build the trust and confidence of the community so that a peak body has demonstrated credibility and authority. It will be important to balance the need for broad-based participation of multiple stakeholders – which supports direct accountability – with the need for the peak body to develop and maintain a clear focus and targeted scope of activities.

Relatedly, stakeholders expressed a strong view that it would be crucial for trust and accountability to ensure that existing community organisations (corporations and grassroots community groups alike) and leaders are able to drive the peak body's decision-making, rather than creating an entirely new structure over the top of the work that is already being done.

Different components of governance models can play a variety of roles in promoting participation and accountability. This section discusses four key elements of the peak body's governance – membership, the Board of Directors (and an accompanying Council), advisory committees, and legal structure.

It is important to note that, in addition to formal governance roles, accountability to Aboriginal children and families can be achieved in a number of other important ways, including:

- staffing — peak body staff recruited from the Aboriginal community will bring the valuable experience and perspective of Aboriginal children and families who engage with the system
- profile — for example, through visibility at Aboriginal community events and meetings, which provide an opportunity to communicate the peak body's activities, priorities and strategic direction
- communications — including through annual reports, regular newsletters, and communities of practice for families, carers and sector professionals

- community meetings or forums, specifically designed to promote engagement, participation and reporting back
- strategic relationships — establishing relationships with key ACCOs and community groups that have strong relationships and existing processes to engage with Aboriginal children and families. This includes engaging with a wide range of Aboriginal communities who may not currently feel connected with existing organisations and services.

3A. Membership

The membership base will be the key source of the peak body's community authority and, as such, it is crucial that its parameters support the broad inclusion and participation of Aboriginal children, families, communities and organisations. The membership base will also be important in building state-wide support and buy-in for the peak's work, providing input to guide the peak's activities, electing Board Directors and Council members, and holding those leadership structures accountable to their commitments.

SNAICC tested three potential membership structures in workshops.

- **Organisational membership:** Membership of the peak body is open only to Aboriginal community-controlled organisations who deliver services to children and families. This is the structure used by QATSICPP, whose members work in a wide variety of sectors, including: family support services; child protection (kinship care, foster care, family group conferencing and Aboriginal family-led decision-making); early childhood education and care; primary healthcare; housing and homelessness; family violence; legal services; youth work; and criminal justice support services.
- **Individual community membership:** Membership of the peak body is open only to individual Aboriginal community members – organisations are not able to join as a collective entity, but their staff can join individually.
- **Mixed membership:** Membership of the peak body is open to all types of Aboriginal stakeholders – both individual and organisational. This would be similar to the model used by SNAICC, which has two tiers of membership (with ACCOs as 'full members' who contribute a higher membership fee and have a vote in Council elections, while individual 'associate members' pay a lower membership fee but are not permitted to vote).

Participants expressed a strong preference for the mixed membership model, arguing that the organisational model would not support the appropriate level of community involvement in steering the peak body's work, and would also exclude the many Aboriginal people who deliver services to Aboriginal children and families from within non-Indigenous organisations. Meanwhile, the individual community member model would mean that the peak body could not advocate as effectively for Aboriginal service providers (and would not align with the principles of the National Agreement). The mixed model was seen to promote the broadest inclusion by ensuring that the most diverse range of stakeholders could be represented in, and help to guide, the peak body's work. It would also support the right balance of lived experience and professional expertise.

It was agreed that provision should be made for different tiers of membership to be established (as described above in the example of SNAICC) and that these tiers would need to balance the influence of individual community members with that of ACCOs so that no single group would

dominate. There was some debate over whether non-Indigenous individuals should be able to join as members of a third tier that did not include voting rights. Some participants were of the view that this would be the best way to facilitate a strong base of allies and benefit from their financial contributions. Others thought this presented a risk that non-Indigenous members could numerically dominate the membership base (and therefore compromise the peak body's Aboriginal community authority) or that some non-Indigenous child and family sector professionals may use their membership of the peak body as a justification to compete with ACCOs for government programs and funding streams.

Overall, the consensus was that it would be important for only Aboriginal people and organisations to be able to join as members – in particular, several participants noted that there are other ways to enable allies to support the peak body without being members. There was also some discussion of whether non-Indigenous parents of Aboriginal children should be eligible for membership of the peak. Some participants thought that this would be an important exception to the general rule (though it perhaps should not include a right to vote), given that the peak body will be working for the interests of those parents' children. A larger proportion of participants argued that the peak body would be consulting with the children themselves in its community engagement activities, so membership for the non-Indigenous parents would not be necessary.

Another question that was not fully resolved related to whether Aboriginal people working in government departments (particularly departments that the peak body is likely to scrutinise, such as the Department for Child Protection, Department of Human Services and Department for Correctional Services) should be entitled to a vote. Participants agreed that many of these individuals have valuable expertise that could benefit the peak body's work – and that they are just as likely to be connected to families and communities that are affected by government policy and practice in the areas of child protection and family support – but also considered that there could be conflicts of interest between the work of the peak body and the individuals' professional obligations to their departments. This issue will need to be resolved upon the establishment of the peak body.

The question of government employees aside, participants were in strong agreement that it would be important for the peak body's membership to encompass Aboriginal community members from a wide range of backgrounds and experiences, including (but not limited to):

- people with lived experience of the child protection system – such as children and young people; care leavers; parents, grandparents, siblings and other family of origin members; kinship and foster carers
- service delivery professionals in the child protection/family support, health, legal/justice, family violence, housing/homelessness, and education sectors
- people from all South Australian Aboriginal nations (and all parts of the state)
- Elders and cultural authorities
- members of the Stolen Generations (who may not always be seen as cultural authorities if they have not been able to reconnect with their families or nations, but nonetheless have valuable knowledge to share)
- academic and community researchers.

Participants noted that members with lived experience would provide an important 'consumer perspective' (which is, at present, rarely sought in the child and family wellbeing space) for both

governments and NGOs, including ACCOs. It would be particularly valuable for the peak's work to be able to bring together these perspectives with the expertise of ACCOs working across a broad range of sectors that support child and family wellbeing (as set out in Theme 2, above, and in line with the example of QATSICPP).

Finding 6: Membership of the peak body should be open only to Aboriginal people and Aboriginal community-controlled organisations based in South Australia. Employment or professional expertise in the child and family service sector should not be a requirement for individual Aboriginal community members to join the peak body. Membership tiers should seek to balance the influence of individual community members with that of organisational members.

3B. Board of Directors and Council

The Board of Directors will set the strategic direction of the peak body's work and assess its effectiveness through oversight of key performance indicators (KPIs), as well as making significant staffing decisions (such as appointing the CEO and potentially other senior management roles) and holding legal responsibility for critical corporate governance functions, including financial reporting and legal compliance. It will therefore be of crucial importance that Board Directors have an appropriate mixture of skills, expertise, cultural authority, and relationships with sector and community stakeholders.

Participants were strongly of the view that the Board will need to be relatively representative of the peak body's membership base – and of the diversity of Aboriginal children, families, communities and organisations across South Australia more broadly. As such, it was agreed that the Board should *primarily* be made up of Directors elected by and from the membership base (rather than independent Directors appointed on the basis of their professional expertise or community leadership), in order to ensure that Directors have a strong connection to the peak body's day-to-day work. Given that peak body membership will be open to Aboriginal organisations from many sectors, as well as Aboriginal individuals with a broad range of professional backgrounds and life experiences, it would likely not be difficult for Board elections to identify individuals with the mix of skills required for the Board to carry out its roles effectively. However, participants agreed that it should also be possible for *ex officio* Directors to be appointed to the Board on the basis of specific expertise (such as legal, finance or corporate governance experience) as needed.

There was also strong agreement that nomination for Director positions should be open to individual community members *and* representatives of ACCO members (rather than being limited to ACCO representatives, as is the system used by SNAICC and QATSICPP). This would ensure that a diverse range of views could inform the peak body's strategic priorities, which could be particularly beneficial if the peak body will undertake a broad range of functions and activities.

Some participants proposed that the composition of the Board could include fixed representation (via allocated seats) for specific groups of stakeholders who need to have a strong voice in the operation of the peak body. In particular, this was suggested as a way to ensure that the Board includes community members who do not work in the child and family wellbeing space, but would nonetheless bring valuable lived experience and cultural knowledge to the Board, and could augment the skills of Directors appointed on the basis of their professional expertise and leadership positions at relevant ACCOs.

The peak's leadership needs to reflect diversity of life and career experiences – children who have aged out of care; parents who have experienced child removal; people who have been incarcerated; Elders and cultural knowledge-holders in communities (not just grandparents). (Participant, Port Adelaide workshop)

Families, kin and friends of children who encounter the child protection system also need to be represented on the Board. It's not just parents and grandparents but also the siblings, extended family, and friends who experience the trauma of the system. (Participant, Port Augusta workshop)

Representation of Elders who are engaged with the child protection system will be important to the governance structure – often it is the grandparents who are identifying the issues and advocating for children in the system. (Participant, South Adelaide workshop)

Representatives from service providers need to be included in the governance structure. For the experiences of children and families in the system to improve, services need to work together more closely and reduce the overlap. ... Sitting on the peak's board together is a great way for the CEOs and senior managers to see how they could coordinate their work and fill in the gaps. (Participant, Port Augusta workshop)

Getting the right people involved in governance will be a balancing act. A lot of sector and community leaders are already facing huge demands on their time from their full-time roles and existing advocacy work. ... But if the peak starts off strongly and makes headway with its first priorities, this could take some of the pressure off sector leaders by consolidating their advocacy work and getting some 'quick wins' from governments. (Participant, South Adelaide workshop)

There needs to be a way of making sure that all South Australian Aboriginal nations have a voice on the Board. (Participant, Port Pirie workshop)

However, some participants pointed out that reserving a Board seat for so many different groups of stakeholders – and for each South Australian region or Aboriginal nation – would create a very large Board, which could lead to difficulties in making decisions efficiently. Most peak bodies analysed for the Scoping Study Report were governed by Boards of 5–9 Directors, with this size seen to enable Boards to include a range of skills and backgrounds while keeping discussions and decision-making processes to a manageable scale. It was also pointed out that a significant portion of the Board's work would be the legal and financial aspects of corporate governance, which are relatively procedural and thus less likely to require the input of diverse community voices (compared to setting the peak body's strategic direction, assessing its effectiveness, or representing the peak body in the public sphere).

Achieving broad representation and operational efficiency through the combination of a Board and a Council

The most popular method of addressing these concerns around Board representation and efficiency was the use of a two-tiered governance structure, under which a larger, elected, regionally-representative Council would set the peak body's overarching strategic direction and appoint a smaller Board to undertake corporate governance and oversight of performance. This is the same basic governance arrangement as that used by SNAICC, whereby the Council structure ensures that members from all States and Territories are represented in setting the organisation's strategic priorities and supports the cross-sector, cross-jurisdictional exchange of knowledge and experience.

Under this model, a balance of ACCO representation and community member representation on the Council would be achieved by each region's peak body members voting to elect two Council

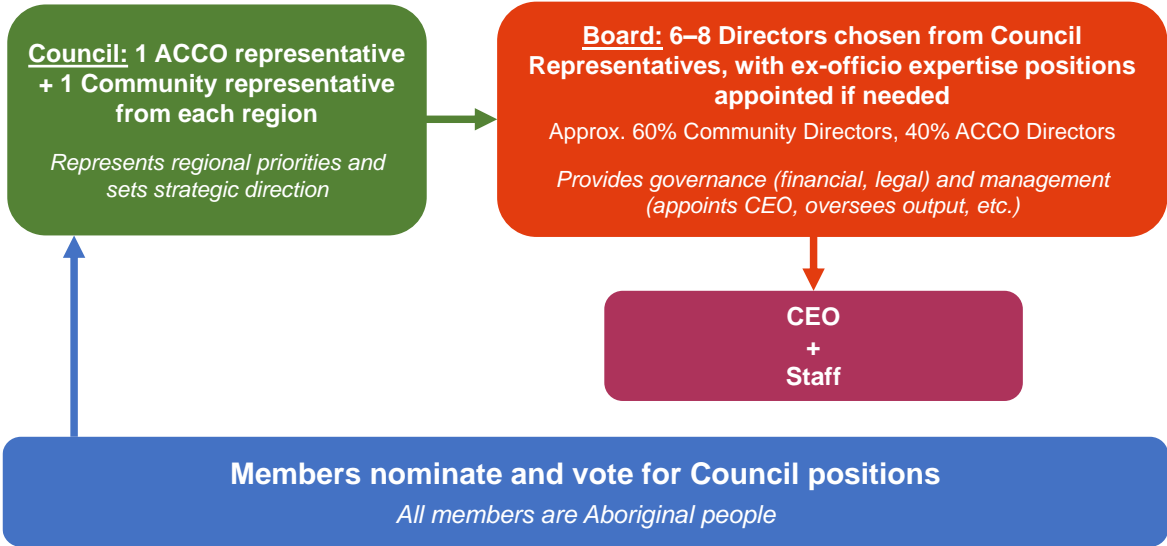
representatives – one ACCO representative and one community representative. The Council members would then select from within their cohort a Board of 6–8 Directors. Participants were of the view that this selection process should aim to include a mixture of: ages and genders; professional expertise in child and family wellbeing/ development; lived experience of engagement with child and family wellbeing/development services; experience in corporate governance and potentially legal or financial roles; and regional, remote and metropolitan representation. If the chosen set of Directors did not encompass some of these characteristics, the Council could decide (by consensus) to appoint *ex officio* Directors to fulfil the skills and experience ‘matrix’.

Regardless of the number of Board or Council members, the peak will need to strive for a gender balance and generational representation – that is, it must include representation of both Elders and young people as the emerging leaders of our communities. (Participant, Murray Bridge workshop)

The gender makeup of the Board and Council may need to be specified on in the constitution or rulebook ... and the model will also need to include designated seats for people with financial, legal or corporate governance expertise. These would not necessarily have to be ex officio, but it will be important to provide for their appointment if the elected Directors do not already have those types of expertise. (Participant, Mount Gambier workshop)

Participants also agreed that a majority of Board Directors (approximately 60% or as close as possible, depending on the total number of Directors appointed) should be community representatives, with ACCO representatives making up the remainder of Directorships (approximately 40%). Figure 2, below, visualises how the roles of the membership base, Council, Board and staff of the peak body would be structured under this model.

Figure 2 Relationships between components of governance structure



It was acknowledged that there would need to be specific parameters around who could be elected as a community member for the purposes of the Council and Board. For example,

some participants considered that CEO positions at ACCOs (or other senior leadership roles) may need to preclude individuals from standing for election as community members, due to a risk of 'duplicating' the voice of ACCOs. Other participants raised the issue of whether Aboriginal people employed in government departments (as discussed in Membership, above) should be eligible for election as community members, or whether this would risk compromising the peak body's independence from government and trust within communities. The steering committee set up to guide the establishment of the peak body (see 'Next steps', below) will need to consider how the peak body's constitution could define these parameters and decide a pathway forward in consensus with the South Australian Aboriginal community.

Finding 7: The peak body should have a Board of between six and eight Directors, with a majority of Directors elected by the membership of the peak body. The Board should include both representatives of ACCOs and individual community representatives, with approximately 60% of Directors being community representatives. The Board should also retain the ability to have ex officio Directors appointed for particular expertise as and when needed. The Board will be tasked with providing strong cultural and corporate governance to ensure the peak body's effectiveness and sustainability.

Some participants suggested that the larger regional tier of governance, rather than being structured as a single Council, could potentially be made up of regional Community Forums. Under this model, each Forum would elect one Board Director periodically (likely on an annual or biennial basis), with the Forum also meeting more frequently between elections to steer their Director's work on the Board. There is precedent for this type of structure in South Australia, with a similar system having previously been in for the Aboriginal Justice Advocacy Committee and Advisory Committee mechanisms.

However, other participants thought that this system could create difficulties with the Board 'formula' of approximately 60% community Directors and 40% ACCO Directors – it would not be possible to direct individual regions to elect a certain type of Director, as this would compromise their local voice. Overall, the Council structure (with one ACCO representative and one community representative per region) was preferred by the majority of participants; nonetheless, this would not preclude the formation of regional Community Forums to elect those Council members or to inform the work of the peak body more broadly.

Many participants noted that the process of deciding the number and delineation of South Australian regions (for the purpose of Council elections) would be very complex. Too many regions would create a Council of unwieldy size, while too few would mean that regional voice is diluted and may lead to members in some regions feeling unrepresented by the Council. It was also pointed out that representation must encompass different Aboriginal nations of South Australia as well as geographic regions – different nations have different priorities, and each region typically has inhabitants from many different nations.

South Australia is highly centralised (with around 77% of the population living in Greater Adelaide), so there will be a question of how to achieve roughly equal representation for both Greater Adelaide and regional/remote areas. Some State Government agencies divide Adelaide into multiple regions to achieve a more even spread of population numbers between regions – for example, the Department for Education operates in eight 'education partnership regions' (which also provide the basis for Local Aboriginal Education Consultative Groups), with three of

these representing Adelaide and surrounds. Other agencies, such as the Department for Child Protection, do not divide Adelaide into smaller geographic sections. As with the parameters for election of community representatives to the Council, the delineation of regions will need to be considered at some length by the establishment steering committee.

Finally, several participants noted that the complexity of the two-tiered governance structure meant that it would be important for the peak body to set up an internal review process to assess the governance model's effectiveness and enable adjustment over time.

Finding 8: The Board of Directors should be supported by a Council made up of two members from each region of South Australia (one ACCO representative and one community representative), elected by the peak body members of each region. The role of the Council will be to represent regional priorities, set the peak body's overarching strategic direction, and appoint Board Directors on the basis of a skill and experience matrix.

3C. Advisory committees

Advisory committees will also be important in helping to steer the direction of the peak body's work and ensure that it reflects community priorities and good evidence, while not requiring committee members to be involved in the technical legal and financial work of the Board.

SNAICC put forward two potential advisory committee models to workshop participants. These options are not mutually exclusive – both committees could operate simultaneously and come together regularly to share decisions and collaborate.

- A formal **Community Advisory Group** could be established to represent the voices and expertise of Aboriginal children, families, community groups and Elders (particularly those with lived experience, as discussed above in the context of Board appointments).
- A **Technical Advisory Group** could be established to ensure that the peak body's work incorporates the input of Aboriginal subject-matter experts (including academic and community researchers and people with significant experience designing or delivering services to Aboriginal children and families).

It was also proposed that a single, combined advisory committee could incorporate both of these groups. While participants strongly agreed that both types of expertise and voice would be needed in advising the peak body's Board, there was some debate over whether the separate or combined format would be more effective.

Some participants suggested there was a risk that the academic and sector expert members could drown out the voices of community members and lived expertise, or that community representatives would not feel as comfortable to candidly share their views in the combined setting. This risk could perhaps be mitigated by establishing rules for committee processes or by ensuring that the community advisory group is numerically larger than the technical advisory group. Ultimately, the committee structure does not need to be set in stone from the peak body's establishment and there will be flexibility to adjust it over time – indeed, the Board may find it necessary to stand up advisory committees for any number of specific functions as the peak body's work evolves.

3D. Legal structure

The Scoping Study Report and all consultation participants identified independence from government, and from existing service providers or peak bodies, as being critical to the peak's ability to maintain trust and confidence with Aboriginal children, families, communities and organisations, as well as the ability to speak and advocate independently and robustly when required.

There was strong agreement among participants that the peak body should be established as a standalone organisation, rather than through an auspice arrangement with an existing South Australian ACCO or peak body. While an auspice arrangement would offer the peak body several efficiencies – such as avoiding the need to undertake new legal and corporate governance processes from scratch, and making it easier to share resources and infrastructure – these were not seen to outweigh the benefits of complete independence. Other ACCOs and peak bodies already have their own purposes, roles and functions, many of which could be compromised by incorporating the children and families peak body into their existing work. For example, given participants placed a high priority on the peak body representing the voices and needs of community members, establishing the peak body within an existing Aboriginal child and family service provider would reduce the peak's ability to provide this independent 'consumer perspective' for the children, families and communities who are affected by those services. Meanwhile, incorporating the children and families peak body into an existing peak or advocacy body could either weaken Aboriginal voice (if the existing body was not an Aboriginal-led organisation) or dilute the focus on child protection, family support, and early childhood education and development (if the existing body was primarily working in another sector).

Participants were unanimously of the view that the peak body would best establish both legal and functional independence by forming as a non-government organisation, rather than seeking for the South Australian Government to create a new independent statutory authority. While statutory authorities may benefit from greater stability of role and resourcing, there are major challenges associated with being established as a government entity, including perceptions of less functional independence and of the Aboriginal community and sector potentially having limited influence over a statutory authority's priorities and activities.

There are a range of not-for-profit legal structures that would promote greater independence from government through accountability to the peak body's members, while also providing opportunities to pursue independent sources of funding (including through charitable status, which attracts tax deductibility for private and philanthropic donations).

One risk faced by some not-for-profit organisations is the potential for the Australian Government to amend the regulation of charitable organisations via legislation, as the *Australian Charities and Not-for-profits Commission Amendment (2021 Measures No. 2) Regulations 2021 (Cwlth)* sought to do until they were disallowed in the Senate. Those Regulations' proposed limitations on charities' advocacy activities would likely have had a significant effect on any peak body's ability to publicly scrutinise government policies and decisions. While acknowledging that the Board of the proposed peak body will need to be aware of this risk, consultation participants were of the view that the significant benefits of the incorporated association structure made it the only acceptable option for the peak's legal form.

Finding 9: The peak body should be legally constituted as a not-for-profit non-government organisation rather than a statutory authority, and should be established independently of any existing organisations.

Theme 4: Relationships with governments

Successful peak and representative bodies (both mainstream and Aboriginal and Torres Strait Islander) have generally been able to establish a strong – yet independent – working relationship with governments. Independence does not require adversarial interactions with governments. Indeed, many of the successes achieved by existing peak bodies have been built on a strong relationship based on respect and expertise, where governments value the unique skills and perspectives that peak bodies offer and consequently do not attempt to exert influence over their activities. This was recognised by several consultation participants.

The peak needs to have a productive relationship with governments – some people may want to launch into a combative approach, but governments have a lot of the money and control so communities will need to engage. And to make that productive relationship possible, communities need to work together to advocate to governments – put aside their differences and unify on a strong consensus voice and set of priorities. (Participant, Ceduna workshop)

Independence from governments does not mean that the peak can't have relationships with governments, but it does mean that agencies must not make any attempt to handpick the peak's leaders. (Participant, Southern Adelaide workshop)

The Scoping Study Report highlighted several key lessons from existing peak bodies relevant to navigating the balance between independence and collaboration. Many of these considerations were also raised by consultation participants.

- Firstly, it is important that peak bodies are able to build a reputation and position themselves as a valued and trusted expert advisor to governments. This requires:
 - building and maintaining relationships of trust and confidence with key government departments and agencies through open and constructive engagement;
 - ensuring that leadership and staff have significant policy and sector expertise, and lived experience, so that the peak body can speak with authority on relevant issues;
 - a demonstrated legitimacy to be able to advocate authoritatively on behalf of the organisation's constituents (Aboriginal children, families, community members and community-controlled organisations); and
 - strategic alignment of the organisation's purpose and activities with key government policy priorities. For example, the Closing the Gap Priority Reforms and socioeconomic targets represent clear priorities on which the peak body can focus its efforts – especially given the commitments made by both the Australian and South Australian Governments, the incipient establishment of the Early Childhood Care and Development Policy Partnership, and the long-term focus of the National Agreement.
- Secondly, governments must recognise and respect the valuable role that a peak body can and should play. This includes understanding that there will be occasions where the peak body's role requires it to provide commentary that is critical of governments (including both the Australian and South Australian Governments). The advocacy role that is undertaken by many peak and representative bodies is especially valuable in circumstances where service providers do not have the capacity or remit to undertake policy and advocacy activities — or indeed are worried about the possible implications that advocacy may have on their government funding streams. Of course, there are also circumstances where peak bodies play an important role in acknowledging when governments make good decisions and achieve positive outcomes.

Certain South Australian government departments will need to front up to Aboriginal communities to address the angst that has been building continuously over many years, or even decades ... it will be difficult to achieve a constructive relationship, built on trust, without taking this accountability and making a commitment to follow the peak's lead on reforms for Aboriginal children and families. (Participant, Southern Adelaide workshop)

The Australian Government needs to respect South Australian peak bodies as the authority in the South Australian jurisdiction, even in policy and service areas that are primarily Commonwealth policy. Our local organisations are the ones who know how things actually play out on the ground here. (Participant, Port Pirie)

- Thirdly, while establishing a collaborative working relationship with government parties is important, maintaining clear independence (both actual and perceived, as discussed in Theme 3D above) will be critical to the peak body's effectiveness. Given the long history of all Australian governments forcibly separating Aboriginal and Torres Strait Islander children from their families, communities, culture and Country, perceptions of independence from government are especially important for Aboriginal peoples, particularly in the context of child welfare and government actions.
- Finally, the peak body and South Australian Government should together consider and agree upon the formal and informal mechanisms to be established as part of the relationship between the two parties. Examples of possible mechanisms include:
 - the preparation by the peak body of an annual report or thematic reports that are tabled in parliament and/or provided directly to the relevant Minister/s (but in either case, are also made publicly available to support transparency and accountability)
 - commitments to regular meetings between the peak body's leadership, South Australian Government Ministers, and other key government decision-makers
 - the designation of roles for the peak body in key government (or bipartite/tripartite) working groups, advisory committees and/or oversight mechanisms.

On this final point, a view emerged in many workshops that mechanisms for engagement between the peak body and the South Australian Government – whatever the process – will need to be permanent and continuous, rather than simply being established (and subsequently dissolved and re-established) on a project-by-project basis. Several participants pointed to the Aboriginal Community Leadership Reference Group, established in 2017 in response to *The Life They Deserve* (the report of the Child Protection Systems Royal Commission), as an example of a robust Aboriginal community advisory structure that seemed to have been arbitrarily disregarded by South Australian Government agencies in recent years.

The South Australian Government needs to embed permanent, overarching structures through which the peak can have ongoing oversight of child protection and family wellbeing policy and practice, and input into reforms. Engagement with the peak should be a mandatory 'pit stop' before an agency finalises any systemic decision regarding Aboriginal children. (Participant, Southern Adelaide workshop)

The South Australian Government needs to commit to consistently hearing and implementing feedback and ideas from Aboriginal community – as a continuous process of feedback loops, not just as a once-off to tick a box. The new peak body should push to set up a system for this. (Participant, Port Pirie workshop)

A key part of the relationship with governments will be the regular provision of government data to the peak. This is core to enabling the peak to do its job effectively and for transparency to the

broader community. It's not just up to the peak to develop a good relationship with the government – it's also up to the government to rise up to meet the peak's expectations. (Participant, Port Adelaide workshop)

The upcoming mid-term review of the legislation [the Children and Young People (Safety) Act 2017 (SA)] could provide an opportunity to lobby for specific roles to be built into the Act for the peak body. (Participant, Mount Gambier workshop)

The peak body would also have formal representation through Closing the Gap processes at both the whole-of-South Australian Government level (as a member of SAACCON) and on the national level (as a member of SNAICC).

Apart from the departments who design and deliver policy, the peak body will also have important relationships with independent South Australian statutory officeholders such as the Commissioner for Aboriginal Children and Young People, Guardian for Children and Young People, Commissioner for Aboriginal Engagement, and Commissioner for First Nations Voice. Upon establishment, it will be crucial for the peak body to convene with each of these officeholders to consider how they could best collaborate and support each other to amplify their respective messages without duplication of effort or compromising their independence.

Finding 10: The peak body should have strong relationships (including ongoing, reciprocal formal and informal engagement processes) with all relevant South Australian Government departments and independent statutory entities. These relationships should involve the regular provision of government data to the peak body and the involvement of the peak body in designing, implementing and evaluating relevant legislation, policy, programs and practice frameworks.

Finding 11: The peak body should become a member of the South Australian Aboriginal Community-Controlled Organisations Network and of SNAICC – National Voice for Our Children.

Theme 5: Long-term vision and sustainability

The Scoping Study Report noted that, while it will be important to identify the peak body's immediate priorities following establishment so that it can most effectively target its activities, there is also a need to keep in mind a longer-term vision and strategy. This will ensure that the peak body is able to meet its immediate needs during its first years of operation while also having a clear direction for the future evolution and growth of the organisation.

Participants noted that the peak body will need to work with and leverage the existing strengths of its members – both organisations and individuals – for policy development and leadership, oversight, sector development and other functions, rather than trying to build these strengths itself from scratch. Strategic partnerships could also be formed with other organisations who operate in the broader child and family wellbeing space, including through research projects or advocacy efforts.

Other participants noted that the peak body's long-term vision would need to involve an ongoing commitment to truth-telling by all stakeholders, but particularly by governments and non-Indigenous NGOs, whose relationships with Aboriginal peoples will not be sustainable if they are built on falsehoods and incorrect assumptions about Aboriginal children, families, communities and organisations. Another important element of long-term planning will be for the peak body to help build up young Aboriginal people as emerging leaders in their communities and organisations, so that children and families across South Australia know they will always be strongly represented by advocates with the skills and relationships to achieve the peak body's purpose.

5A. Financial sustainability

Developing an appropriate funding model will be central to the peak body's longer-term vision and financial sustainability. Adequate resourcing remains an ongoing challenge for many peak and representative organisations. While the Department for Child Protection's commitment of core funding over the first years of the peak body's establishment is valuable, it is important that the development of a sound financial model over the medium and longer term is prioritised from the outset. The Scoping Study Report noted lessons from other peak and representative bodies indicating that constant pressure to secure funding can create uncertainty, divert significant organisational resources away from delivering core business and hamper an organisation's ability to plan work in the long term.

Governments across Australia fund different peak and representative bodies in various ways – some government funding is provided through recurrent funding for core operations, while other funding is project-based for specific programs or activities. Both have benefits and limitations. Recurrent core funding allows organisations to set their own priorities for activities, but it may also compromise public perceptions of their independence (which, as noted above, will be a crucial factor in the proposed peak body establishing the trust and confidence of the Aboriginal community of South Australia). Meanwhile, project-based funding may create a stronger investment by governments in the implementation and success of the projects funded, but could also mean that a significant proportion of an organisation's resources are tied to functions that its members and leadership have not identified as priorities.

An over-reliance on government funding can be problematic if funding is short-term or subject to shifting political priorities in the future. However, the peak body is likely to benefit from the commitment by State, Territory and Australian Governments to the four Priority Reforms of the National Agreement – particularly Priority Reform Two, under which parties committed to strengthening the Aboriginal and Torres Strait Islander community-controlled sector and recognised that peak bodies are a key element of a strong sector (s. 45(c)).

Some peak bodies have been successful in generating independent income through membership fees, philanthropic and private donations (for organisations with charitable status), research grants and by conducting fee-for-service activities such as training and resource development. Funding sources that are independent from government are valuable in supporting Aboriginal peak bodies' self-determination by enabling them to work proactively to pursue the aspirations and priorities identified by the community, rather than respond to government policy priorities of the day. A diversified funding base also delivers increased stability by reducing reliance on a single funding source and can assist organisations to ride the inevitable fluctuations that occur with political and economic cycles. However, it is also important to recognise that independent funding sources do not displace the need and obligation of governments to provide sustainable core funding. Philanthropic investments tend to be short-term, focused on innovation, and subject to shifting philanthropic priorities, while membership and sector-derived income is limited in the context of peaks servicing communities and sectors that themselves experience limited funding and financial stress.

Participants acknowledged that government and independent sources of income would both play important roles in the peak body's operation. It was widely agreed that the Department of Child Protection should not be the sole source of South Australian Government funding, with participants pointing out that the peak body's role will also intersect with several other departments – including the Department of Human Services, Department for Education, Department for Correctional Services, Attorney-General's Department (which includes Aboriginal Affairs and Reconciliation), and the SA Health portfolio of services and agencies.

All of these departments will need to commit to working constructively and cooperatively with the peak body, and should therefore have a financial stake in its capacity and sustainability. Some participants noted, however, that the Department for Education and SA Health already provide core operational funding for SAAETCC and AHCSA respectively, and that it would be undesirable for the new peak body to 'compete' with either organisation for funding if the relevant department were unwilling to expand their investment in Aboriginal peak bodies.

One of the key things that the peak will need to achieve early on, in order to ensure its own sustainability and effectiveness, is to get the message through to governments that child safety and wellbeing is a cross-cutting issue, and many other departments – not just DCP – will need to genuinely commit to working with and being overseen by the peak body. (Participant, Mount Gambier workshop)

Given the administrative burden that would result if the peak body were required to report to so many departments individually, participants agreed that it would be most efficient for the peak receive a single combined stream of funding under an agreement with the Department of Premier and Cabinet, with funding released through Treasury and individual departments' contributions to that amount determined by inter-agency Memoranda of Understanding. As well as streamlining reporting requirements, this would create buy-in across the whole of the South Australian Government.

In terms of non-governmental income, some participants suggested that a membership fee structure would not be appropriate if the peak body aims to maximise ongoing community engagement and participation through membership, though this subject was not often raised in discussions. However, participants were strongly in support of the peak body pursuing opportunities to generate income through philanthropic funding/private donations, research grants and fee-for-service activities.

Finding 12: Alongside the initial \$200 000 p.a. commitment from the South Australian Department for Child Protection, financial contributions to the peak body (whether in the form of recurrent core funding or project-based funding) should also be made by the Department of Human Services, Department for Education, Department for Correctional Services, Attorney-General's Department and the SA Health portfolio.

Recommendation 1: The Department for Child Protection, Department of Human Services, Department for Education, Department for Correctional Services, Attorney-General's Department, and the SA Health portfolio should develop a central funding agreement, with a total value of at least \$900 000 p.a. (indexed to inflation), to resource the peak body's core and recurring functions.

This funding should be disbursed through a single agreement between the peak body and the South Australian Department of Premier and Cabinet, with a single set of reporting requirements. This agreement should be included in the 2023-24 State budget as an ongoing funding commitment. The provision of core funding will not preclude agencies from also establishing project-based funding arrangements with the peak body.

Overarching comments

What is meant by culture?

Outside of the five themes identified in the Scoping Study Report and the practical details of establishing a new peak body, stakeholders often raised the overarching issue of the way that government agencies (and, at times, non-Indigenous NGOs) did not seem to fully grasp some key characteristics of Aboriginal culture, including:

- the all-encompassing nature of culture and its centrality to child and family wellbeing

We need new definitions around culture – what does it mean internally to Aboriginal communities? Western concepts of Aboriginal culture tend to focus mainly on visible things like art/music/dance/ceremony but neglect the importance of things like story, proximity to and time with family, proximity to Country, the ability to use our first languages in everyday exchanges. (Participant, Port Adelaide workshop)

The key thing will be for the central purpose of the peak body to always be based around culture and relationships with community, because it's an ongoing battle to convince government departments that we have our own cultural authority in all areas of policy and relationality. It is not something that can be switched on and off when it's not convenient to governments anymore. (Participant, Murray Bridge workshop)

- the significant differences between the cultures of Aboriginal nations in South Australia and the ways in which their different experiences have shaped their current circumstances

'Culture' as a term is used too broadly and generally ... it is unlikely to represent all nations' perspectives and cultural priorities accurately at the same time. It borders on being a colonisation model – a one-size-fits-all structure being laid out over the top of the huge diversity of Aboriginal people in SA. The point of contact needs to happen with individual nations, and it requires healing of their specific traumas, removing of the harmful layers that have been accumulating since colonisation. Each nation should have its own say around these things. (Participant, Port Adelaide workshop)

- the crucial importance of family knowledge to decision-making around Aboriginal children's safety and wellbeing:

Families are almost never included in decision-making. The Department for Child Protection publicises their attention to culture, but individual decisions don't include anyone from the specific culture of the child – more often an Aboriginal person from the Department is suddenly seen to know everything you need to know... You cannot get the right information about how to support a child if you haven't asked the right people, which starts with the child's extended family. (Participant, Ceduna workshop)

Though this is partially outside the scope of this project, it is worth noting that participants suggested several innovative ways in which governments and other non-Indigenous organisations may be able to achieve a more complete and systemic understanding of Aboriginal culture and to apply that to their work, as intended under Priority Reform Three of the National Agreement.

Teachers only learn what they learn at university – but there's very little space for an Aboriginal cultural curriculum because of a strong bias towards Western priorities in the existing curriculum. So besides formal education, what other avenues could help the workforce get a better idea of what matters and what works for Aboriginal people? Perhaps workplace inductions (in government and in

services funded by government) should embed Aboriginal language and culture, and ask staff members to consider how they will interact with or provide services to Aboriginal people in their roles. ... Codes of ethics and other professional practice frameworks could also benefit from including Aboriginal worldviews. (Participant, Port Pirie workshop)

The demand by governments for Aboriginal leaders to engage in free, ad-hoc knowledge provision is a significant drain on our capacity to do our full-time work. Could there be a model for a more structured system, for example where Aboriginal professionals from ACCOs are seconded into Government departments for the duration of a project or program cycle? (Participant, Southern Adelaide workshop)

Data and evidence

Several participants also raised the need for Aboriginal communities and ACCOs being able to access and use government data and evaluations, and noted that governments had committed to supporting this under Priority Reform Four of the National Agreement.

Aboriginal children and families have just as much right to see that the policies and services that affect them are driven by evidence. Community members can often see clearly what needs to happen to improve an outcome, but are frustrated by seeing governments repeatedly using approaches that haven't worked in the past and failing to fund/upscale Aboriginal community initiatives that have proven successful. (Participant, Port Pirie workshop)

*Data is crucial to voice (and for community and cultural accountability). The peak should have access to the same detailed data that governments use, and should apply pressure on governments to make those datasets public where appropriate. ... We also need to shape the definition of the datasets – for example, we need to know about **genuine** Aboriginal kinship care, not kinship care as loosely defined by the Department for Child Protection. And there is a need for scrutiny over government agencies' development of Aboriginal cultural impact assessment tools. (Participant, Southern Adelaide workshop)*

Next steps – getting the establishment process started

With a strong consensus reached among the South Australian Aboriginal community on the key aspects of a children and families peak body, the authorising environment exists to commence establishment. Establishment resources, processes and organisational development supports will need to be put in place to prepare the peak body for commencement.

A steering committee of 6–8 Aboriginal community members should be appointed to finalise the remaining decisions about the model for the peak body (including delineation of regions for the Council structure and questions around eligibility for membership and Council election), commence organisational planning and begin undertaking the legal and corporate governance requirements for a new organisation. It is expected that the organisational planning and establishment process will take up to one year, with key elements including:

- constitution/rulebook development;
- infrastructure and human resource planning;
- financial planning;
- establishment of interim commencement governance;
- compliance and risk management planning;
- initial policy and procedure development;
- registration;
- interim strategic and operational planning; and
- recruitment and appointment of the inaugural CEO.

Consultation participants were strongly of the view that the process of appointing the steering committee must be undertaken independently of the South Australian Government and at arm's length from existing South Australian organisations operating in the child and family wellbeing space to support independence. It was suggested that SNAICC, as a 'neutral' national organisation, could facilitate the appointment process – though the process would need to take place under some specific parameters, especially around being inclusive of different types of community members (that is, the steering committee must not be composed only of professionals in the child and family service sectors).

Having confirmed agreement with this proposal in the consensus-building process, the SNAICC team would be very willing to continue its role in the peak body process by appointing the establishment steering committee and undertaking secretariat functions.

An agreement would need to be reached with the South Australian Government on financial resourcing for this role, including the organisational development supports required for peak establishment, which – given the breadth of work ahead of the steering committee – would likely be required for a period of no less than one year.

Recommendation 2: The South Australian Government should fund SNAICC – National Voice for Our Children to appoint an establishment steering committee

from the South Australian Aboriginal community, and undertake secretariat functions to this committee, over a period of one year.

While the steering committee will be primarily focused on establishment rather than undertaking the substantive work of the peak, it will be important that work commences towards strong collaboration and strategic alignment with SAACCON as the key representative body engaged in ongoing negotiations and work under the National Agreement on Closing the Gap. SAACCON representatives suggested that their team would be well-placed to work collaboratively with the establishment steering committee and support opportunities for the emerging peak structure to contribute to policy development and influence under Closing the Gap, including the Early Childhood Care and Development Policy Partnership that SAACCON is represented on. As the peak body will need to interact closely with SAACCON in many of its functions, it was also identified as useful for a SAACCON representative to be included on the steering committee.

Participants noted that South Australian Government departments may be able to provide in-kind assistance to the emerging peak body to support its early operations, such as identifying a workspace for the peak on a peppercorn lease or providing staff secondments to support its early operations.

Recommendation 3: All South Australian Government agencies named in Recommendation 1, above, should consider how they could support the establishment and early work of the peak body through the provision of in-kind services, infrastructure, or staff secondments. Agencies should communicate their support options to the establishment steering committee before the end of the 2022 calendar year.