



# Western Australian 10 Year Roadmap for reducing overrepresentation of Aboriginal children in out-of-home care: Background Paper

October 2022

SNAICC – National Voice for our Children

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## Introduction

The Western Australian (WA) Government has made a commitment to developing a 10-year Roadmap (the 'Roadmap') to address the overrepresentation of Aboriginal children in the state's child protection system and reduce the number of Aboriginal children entering care. The WA Government recognises the best long-term strategy is to invest in initiatives that support Aboriginal families so their children can remain safely with them at home. The WA Department of Communities ('Communities') has contracted SNAICC – National Voice for our Children ('SNAICC') as a partner in a co-design process to ensure that the voices of children, their families and carers, and Aboriginal and Torres Strait Islander communities and organisations are front and centre in development of the Roadmap.

This background paper provides the basis for the co-design process. It sets out current and key issues impacting Aboriginal and Torres Strait Islander child safety and wellbeing in WA, what is currently being done to address the issue of overrepresentation and areas where further action is required to ensure that all children have their right to grow up safe and connected to their families, communities, and cultures respected and fulfilled.

The Roadmap aims to respond to the calls from Aboriginal people for a different approach to past ways of working, and will be the State Government's response to the National Agreement on Closing the Gap targets and outcomes, particularly Outcome 12 – *Aboriginal and Torres Strait Islander children are not overrepresented in the child protection system*. The Roadmap will also align to and support the State Government's implementation of the *Safe and Supported: National Framework for Protecting Australia's Children 2021-2031* and its Action Plans.<sup>1</sup> The Roadmap will set the foundation to improve adherence to the Aboriginal and Torres Strait Islander Child Placement Principle ('ATSICPP') by embedding the application of all five elements – prevention, partnership, participation, placement and connection.

The Roadmap will be a whole of State Government strategic response to the very important issue of recognising the devastating and continuing impacts of past and current laws, policies

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<sup>1</sup> National Indigenous Australians Agency. (2020). *National Agreement on Closing the Gap: 7B Table B: Outcome 12*. Retrieved from: <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap/7-difference/b-targets/b12>

and practices that too often caused disconnection, trauma and disadvantage. The Roadmap will commit State Government agencies to working differently with Aboriginal children, families and communities, to build on their strengths and change the way we do business. The Roadmap will expand on what we know is already having an impact and develop new responses to make a difference.

### Intended outcomes of the Roadmap

- Reduction of over-representation of Aboriginal children in out-of-home care and entering care
- Frontline staff have effective culturally competent and appropriate child protection practices
- Aboriginal children remain connected to culture, cultural identity, kin, and Country
- New ways of working are explored
- Aboriginal children and families are safe, maintain cultural connection and are thriving
- Western Australian State Government agency contributions to the safety and wellbeing of Aboriginal Western Australians who access their services
- Internal staff are culturally competent
- Respectful and meaningful relationships with children, families and stakeholders are established, maintained, and strengthened
- Data research partnerships and coordination enable systemic reform.

### About SNAICC

SNAICC is the national non-government peak body for Aboriginal and Torres Strait Islander children. We work for the fulfilment of the rights of our children, in particular to ensure their safety, development and well-being.

SNAICC has a dynamic membership of Aboriginal and Torres Strait Islander community-based child care agencies, Multi-functional Aboriginal Children's Services (MACS), crèches, long day care child care services, pre-schools, early childhood education services, early childhood support organisations, family support services, foster care agencies, family reunification

services, family group homes, services for young people at risk, community groups and voluntary associations, government agencies and individual supporters.

Since 1981, SNAICC has been a passionate national voice representing the interests of Aboriginal and Torres Strait Islander children and families. SNAICC champions the principles of community control and self-determination as the means for sustained improvements for children and families has been at the heart of SNAICC's work — whether on child protection and wellbeing or early childhood education and development. Today, SNAICC is the national peak body for Aboriginal and Torres Strait Islander children and the sector supporting these children. Our work comprises policy, advocacy and sector development. We also work with non-Indigenous services alongside Commonwealth and State Governments to improve how agencies design and deliver supports and services for Aboriginal and Torres Strait Islander children and families.

### The term 'Aboriginal'

*Within Western Australia, the term 'Aboriginal' is used in preference to Aboriginal and Torres Strait Islander, in recognition that Aboriginal people are the original inhabitants of Western Australia. Use of the word 'Aboriginal' within this document respectfully refers to both Aboriginal and Torres Strait Islander peoples.*

## Why do we need a Roadmap?

Across Australia, Aboriginal children are more likely than non-Indigenous children to be the subject of substantiations, on care and protection orders, and to be placed in out-of-home care (OOHC).<sup>2</sup>

In 2019-20, WA had the highest rate of overrepresentation of Aboriginal and Torres Strait Islander children in out-of-home care (OOHC) in Australia, with our children being 17.6 times more likely to be removed from their families than non-Aboriginal children.<sup>3</sup> The overrepresentation of Aboriginal and Torres Strait Islander children in WA's OOHC system has been steadily climbing since 2012 when the rate was just over 12.<sup>4</sup>

The overrepresentation of Aboriginal and Torres Strait Islander children at the most intrusive ends of the child protection system are mirrored across all aspects of statutory child protection intervention. Indeed, the level of overrepresentation compounds through successive steps in the child protection system. In WA, compared with non-Indigenous children, Aboriginal and Torres Strait Islander children are 9 times more likely to be subject to a notification, 8 times more likely to be investigated, almost 11 times more likely to have a report of harm substantiated, with over 16 times the rate of placement on a care and protection order.<sup>5</sup>

There is some evidence that recent initiatives in WA are making an impact but more needs to be done. The data on admission to out-of-home care provides a proxy indication of whether these efforts are succeeding and speaks to level of compliance with the prevention domain of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP). Since the *Building Safe and Strong Families Earlier Intervention and Family Support Strategy* commenced in 2017, WA has seen the largest reduction of children in care for the last two decades. During the 12 months to 30 June 2022 the number of children in care state-wide

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<sup>2</sup> Australian Institute of Health and Welfare (2022) *Child protection Australia 2020–21*, AIHW, Australian Government.

<sup>3</sup> The Family Matters Campaign. (2021). *The Family Matters Report 2021*, p. 20. Retrieved from: <https://www.familymatters.org.au/wp-content/uploads/2021/12/FamilyMattersReport2021.pdf>

<sup>4</sup> Ibid, p. 25

<sup>5</sup> Ibid, p. 27

dropped by 251, representing a reduction of 4.7%. Over the same period, there was a 3.3% drop in the number of Aboriginal children in care, marking a decrease of 101 children. Over the past 24 months, the State Government has achieved consecutive years of reductions in the overall number of children in care. While these indications are promising, they demonstrate the need for a specific Roadmap to reduce the overrepresentation of Aboriginal children in OOHC, as the rate of Aboriginal children in care is dropping more slowly than the overall number of children in care.

Achieving Target 12 of Closing the Gap – to reduce the overrepresentation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% within a decade– will require a stronger focus on supporting children to remain safely at home with their families. The Family Matters report explains that the number of children in out-of-home care is a function of four interrelated processes, specifically *the number of children already in out-of-home care, the number of children entering out-of-home care, the number of children exiting out-of-home care and the time children spend in out-of-home care*. Whilst legislative, policy and programmatic attention is required to address the needs and rights of children entering, in and exiting care, government action has generally tended to focus on policy with more limited action in relation to legislative reform.

Numerous studies have been published on the risk factors that lead to child protection involvement, including in Western Australia. Harrap has synthesised this research, finding that parental substance misuse, poor parental mental health, teenage parenthood, domestic and family violence during pregnancy, child exposure to domestic and family violence, and living in socioeconomically disadvantaged locations are all associated with an increased risk of entry into the child protection system.<sup>6</sup>

An important underlying contributor to involvement with child protection for Aboriginal and Torres Strait Islander people is the impact of trauma. Trauma is the “response of the mind and nervous system to a life-threatening experience that is so overwhelming it leaves the

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<sup>6</sup> Harrap, B. (2021). *The health of Aboriginal children in Western Australia and its intersection with the child protection system*. Retrieved from: <https://benharrap.com/post/2021-06-28-confirmation-report/>

individual unable to come to terms with it".<sup>7</sup> Aboriginal and Torres Strait Islander children can directly experience traumatic events, or experience trauma through exposure to the traumatic experiences of their family and community members of forced removals, colonisation, dispossession, and discrimination. Intergenerational or historical trauma is passed between generations through cycles of emotional and psychological injury, affecting children and families' wellbeing, functioning, safety, health and cultural connection.<sup>8</sup>

The Stolen Generations are Aboriginal and Torres Strait Islander people subjected to forcible removal from their families and communities by governments, welfare bodies and churches to be placed in institutions, adopted or fostered by non-Indigenous families, as a matter of policy. Aboriginal and Torres Strait Islander children who were removed were often subjected to abuse and neglect.<sup>9</sup> It is estimated that up to 1 in 3 Aboriginal and Torres Strait Islander children were removed under forcible removal policies,<sup>10</sup> resulting in widespread inter-generational effects on Aboriginal and Torres Strait Islander families and communities.

The ongoing impacts of the collective trauma of forcible removal policies continue to affect Aboriginal and Torres Strait Islander people, including communities' relationships with child protection today.<sup>11</sup> Stolen Generations survivors are more likely than other Aboriginal and Torres Strait Islander people to experience a range of adverse health, social and wellbeing outcomes including contact with police, experiences of violence, homelessness, poor mental health, and experiences of discrimination, which can contribute to contact with child protection.<sup>12</sup>

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<sup>7</sup> Healing Foundation (2015) *Growing Our Children Up Strong and Deadly: Healing for children and young people*, Healing Foundation, retrieved from: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://healingfoundation.org.au/app/uploads/2017/02/Growing-our-Children-up-SINGLES-updated-2015.pdf>

<sup>8</sup> Atkinson, Judy, Nelson, Jeff & Atkinson, Caroline (2010) 'Trauma, Transgenerational Transfer and Effects on Community Wellbeing' in N Purdie, P Dudgeon & R Walker (eds), *Working together: Aboriginal and Torres Strait Islander mental health and wellbeing practices and principles*, Department of Health and Ageing, Canberra, pp. 135–144.

<sup>9</sup> Commonwealth of Australia (1997) *Bringing Them Home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, Sydney, NSW, Part 2, Chapter 2.

<sup>10</sup> Ibid.

<sup>11</sup> Kickett, Glenda & Stublely, Katie (2020) *Care and Protection System Co-Design Report: Moving to Child Safety and Community Wellbeing*, on behalf of Centre for Social Impact, University of Western Australia (CSI UWA) and WA Department of Communities.

<sup>12</sup> Australian Institute of Health and Welfare (2018) *Aboriginal and Torres Strait Islander Stolen Generations and descendants: numbers, demographic characteristics and selected outcomes*. Cat. no. IHW 195. Canberra: AIHW.



In WA, Aboriginal and Torres Strait Islander children are most likely to be notified for neglect and emotional abuse - 61.2% of substantiations for Aboriginal children for emotional abuse and 25% for neglect. Substantiations for Aboriginal children for physical abuse in WA are the second lowest in the nation, accounting for 7.1%, with the remaining 6.5% due to sexual abuse.<sup>13</sup>

Emotional abuse covers a broad range of acts that can be difficult to define or measure, leaving identification open to significant practitioner discretion.<sup>14</sup> *Communities' Emotional Abuse – Family and Domestic Violence Policy* defines emotional abuse as including “psychological abuse and exposure to family and domestic violence...”, whilst exposure includes seeing, hearing or experiencing the physical effects of the violence.<sup>15</sup>

Comprehensive data on the number of Aboriginal and Torres Strait Islander children who are removed as a result of domestic and family violence is not available, however Communities acknowledges that “it is a significant factor contributing to the overrepresentation of Aboriginal people involved with child protection services.”<sup>16</sup>

Research shows that neglect is closely linked to poverty. According to Child Family Community Australia (CFCA), “neglect is often considered to be a failure, on the part of a caretaker, to provide adequate supervision, nurturance, appropriate medical care, food, clothing, and shelter for a child. This definition also aligns with a definition of poverty, where poverty is considered to be inadequate food, shelter and clothing.”<sup>17</sup> In many instances, a

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<sup>13</sup> Australian Institute of Health and Welfare. (2022). *Child Protection Australia 2020-21*, Table S3.10: Children who were the subject of a substantiation of a notification received during 2019-20, by type of abuse or neglect, Indigenous status and state or territory. Retrieved from: <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2020-21/data>

<sup>14</sup> Slep, A., Heyman, R., & Snarr, J. (2011). Child emotional aggression and abuse: Definitions and prevalence. *Child Abuse & Neglect*, 35, 783-796.

<sup>15</sup> Government of Western Australia: Department of Communities. (2021). *Emotional Abuse: Family and Domestic Violence Policy*, p. 4. Retrieved from: <https://www.wa.gov.au/system/files/2021-11/Emotional-Abuse-Family-and-Domestic-Violence-Policy.pdf>

<sup>16</sup> Ibid, p. 1

<sup>17</sup> Child Family Community Australia. (2014). *Understanding Child Neglect*, p. 2. Retrieved from: <https://aifs.gov.au/cfca/sites/default/files/publication-documents/cfca20.pdf>

tertiary child protection intervention is unlikely to provide an appropriate response for cases of neglect, where access to resources and education to support families is needed.<sup>18</sup>

## Aboriginal people in Western Australia

Data from the 2021 Census shows 47.4% of Aboriginal and Torres Strait Islander people in WA live in the greater Perth area compared to 52.6% across the rest of the state.<sup>19</sup> The seven Local Government Areas (LGAs) with the largest population of Aboriginal and Torres Strait Islander residents are Swan (n=5,302), Broome (n=4,847), Derby-West Kimberley (n=4,267), Wanneroo (n=3,971), Greater Geraldton (3,814), Rockingham (n=3,605), Gosnells (3,448).<sup>20</sup> The five LGAs with the highest proportion of Aboriginal and Torres Strait Islander residents are Ngaanyatjaraku (84.5% of the total LGA population), Halls Creek (77.6%), Derby-West Kimberley (60.3%), Upper Gascoyne (55.9%) and Murchison (37.6%).<sup>21</sup>

## WA Aboriginal community priorities

Aboriginal communities in WA have made clear calls for change in the child protection system. Recent projects and reports have provided an opportunity for community members, ACCOs, the broader community sector and governments to explore these priorities which can be progressed through the Roadmap.

In 2018-2019 the Noongar Family Safety and Wellbeing Council worked with WACOSS, funded by the Department of Communities, on a series of roundtables between ACCOs and Community Services Organisations (CSOs) to outline what is needed for improved engagement between ACCOs and CSOs to achieve better outcomes for Aboriginal children and families.<sup>22</sup> The roundtables identified key recommendations to improve outcomes for Aboriginal children and families, including:

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<sup>18</sup> Ibid.

<sup>22</sup> Noongar Family Safety and Wellbeing Council and WACOSS (2019) *Partnering with Aboriginal Community Controlled Organisations to deliver trusted services with stronger outcomes for Aboriginal people*, Perth, retrieved from: <https://www.wacoss.org.au/wp-content/uploads/2019/06/Partnering-with-Aboriginal-Community-Controlled-Organisations-to-deliver-trusted-services-with-stronger-outcomes-Report-1.pdf>

- focusing on the rights of children and the UN Declaration on the Rights of Indigenous Peoples
- changes to practice and policy to ensure Aboriginal children are cared for safely by families, including full implementation of all elements of the Aboriginal and Torres Strait Islander Child Placement Principle, increased support for kinship carers, and increased capacity to support family placement and reunification
- transition of responsibility for child protection and out-of-home care to ACCOs and CSOs, and employment of Aboriginal people in services working with Aboriginal children
- holistic approaches to protecting children, including focus on prevention and early intervention
- improving practice in child protection, including increasing capability for cultural safety, healing and trauma-informed practice,
- Commissioning processes informed by people with lived experience, Elders, community members, and ACCOs
- practices and measures to facilitate building the role of ACCOs, including community-led commissioning, program co-design, and oversight and accountability mechanisms.

In 2020, facilitated by Glenda Kickett, Katie Stuble, Sharon Wood-Kenny and the Centre for Social Impact, Aboriginal community members, ACCOs, CSOs and government stakeholders participated in a co-design process to develop key principles for the out-of-home care system. This was overseen by an Independent Reference Group that fed back to the Department of Communities. The process highlighted key challenges and themes in the current system and the principles that will need to inform a reformed system. The process highlighted a need to:

- understand, recognise and address structural racism as a driver of the high rates of Aboriginal children being removed from families and move away from the dominant Western model of understanding families and communities
- move from crisis-oriented, reactive responses to prevention
- centre child wellbeing, and reduce the barriers to focusing on child wellbeing
- Build on good practices that are working well such as greater involvement of children in decision-making

- Focus on family connection, kinship, language, culture, Country and community
- Ensure Aboriginal leadership in the responses, and strengthen the capacity of local Aboriginal communities to be involved in decision-making and service delivery
- Rebuild and strengthen relationships to overcome fragmentation and a lack of trust
- allocate appropriate resources for community organisations to fulfil their roles
- authorise community organisations to act in the best interests of the child with the appropriate delegation of authority
- Embed holistic and trauma-informed, therapeutic approaches
- fully implement all elements of the Aboriginal and Torres Strait Islander Child Placement Principle in legislation, policy and practice
- Cultivate truth-telling, deep listening and learning to transform relationships and systems.

The co-design process also identified key outcomes for the out-of-home care system:

- High rates of children reunified with family
- Young people know who they are and who their family is
- Children and young people achieving their potential and exercising choice
- Trust of service users in providers and government.
- Consistently decreasing rates of children in the care system
- More ACCOs than non-Indigenous orgs operating in the system
- Recruitment and retention of Aboriginal staff at all levels in the Department at equal rates to the over-representation of Aboriginal children in care.

This feedback and the priorities identified through these co-design processes have been taken into account and incorporated in several of the WA Government initiatives outlined in sections below.

## National policy context

### National Agreement on Closing the Gap

The *National Agreement on Closing the Gap* (the National Agreement), was entered into in July 2020. Under the National Agreement, governments across the country committed to reforms and targets to make significant change to outcomes for Aboriginal and Torres Strait

Islander people. Target 12 under Closing the Gap is ‘by 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent’.

The Closing the Gap Agreement also commits governments to Priority Reforms in how they work with Aboriginal and Torres Strait Islander peoples, communities and organisations. Under the Priority Reforms, governments have committed to make decisions in genuine partnership with Aboriginal and Torres Strait Islander peoples and organisations, to invest in community-controlled organisations, to transform government agencies and non-Indigenous services to become more culturally safe, and to develop data and monitor outcomes in partnership with Aboriginal and Torres Strait Islander peoples. These Priority Reforms involve significant transformation in the relationships between governments and Aboriginal and Torres Strait Islander communities.

### Safe and Supported: The National Framework for Protecting Australia’s Children 2021-2031

In December 2021, the Commonwealth Government launched the next 10-year framework to respond to the needs of children and families experiencing vulnerability. The National Framework recognises the right to self-determination of Aboriginal and Torres Strait Islander peoples and was developed through a co-design process with SNAICC and a national leadership group of Aboriginal and Torres Strait Islander child and family sector experts.

The National Framework commits to reform in each jurisdiction with a view to “fully embedding the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle” – to keep our children connected to family, community and culture. It also commits to support delegation of authority in child protection to families, communities and Aboriginal and Torres Strait Islander community-controlled organisations.

The WA Government made a commitment to *Safe and Supported* in December 2021. In December 2022, the first Action Plans of *Safe and Supported* are due to be released, including a dedicated Aboriginal and Torres Strait Islander Action Plan. The Roadmap will be a

key mechanism for implementation of actions agreed in the First Action Plan and the Aboriginal and Torres Strait Islander Action Plan under *Safe and Supported*.

## The current landscape and steps taken so far

To address the disproportionate number of Aboriginal and Torres Strait Islander children in OOHC, the Roadmap needs to link with existing policies, strategies, and reform processes at the national, state and community-level. Existing government strategies, initiatives and pilots that are currently being undertaken include:

- *A Path to Safety: Western Australia's Strategy to Reduce Family and Domestic Violence 2020-2030*
- Aboriginal Family Safety Strategy 2022-2032
- All Paths Lead to a Home: Western Australia's 10 Year Strategy on Homelessness 2020-2030
- Aboriginal Community Controlled Organisation Strategy 2022-2032
- Aboriginal Cultural Capability Reform Program
- *Building Safe and Strong Families: Earlier Intervention and Family Support Strategy* including the Aboriginal In-Home Support Service, Pre-birth planning program, Best Beginnings Plus
- Family Care Support Service
- Out-of-Home Commissioning Project
- Dandjoo Biki-ak: Therapeutic Pilot Court
- Target 120
- Health Navigator pilot
- Aboriginal Family Led Decision Making pilot
- Aboriginal Representative Organisations pilot
- *At-Risk Youth Strategy 2022-2027*

This section provides a summary of some of these initiatives and the current landscape and steps taken to date to eliminate the overrepresentation of Aboriginal and Torres Strait Islander children in WA's child protection system.

## Aboriginal Empowerment Strategy 2021-2029 / Closing the Gap Implementation Plan

The Aboriginal Empowerment Strategy (AES) articulates how the WA Government will meet its commitments under the National Agreement on Closing the Gap. The AES includes a number of broad action areas that are relevant to the Roadmap, such as for government agencies to significantly increase the proportion of services delivered by ACCOs, including in OOHC, maternal health, early childhood and family violence.<sup>23</sup>

In addition, the Closing the Gap Implementation Plan (the 'Implementation Plan') contains actions specifically directed to achieving Outcome 12 – *Aboriginal and Torres Strait Islander children are not overrepresented in the child protection system*. Government strategies and actions to reach the target include: *Building Safe and Strong Families: Earlier Intervention and Family Support Strategy*, the *Aboriginal Family-led Decision Making Project Pilot*, and *Pre-Birth Planning*.<sup>24</sup> These actions are discussed in more detail below.

### Availability and resourcing for prevention and early intervention

Reducing the number of children entering out-of-home care requires that families have access to prevention and early intervention supports that address the underlying issues that drive removal. In alignment with the State Government's commitment for the Roadmap to improve adherence to the ATSI CPP, it is critical that Aboriginal and Torres Strait Islander families have equitable access to the universal and targeted services that enable them to thrive.<sup>25</sup>

A greater investment into prevention and early intervention is required to address the factors that drive overrepresentation of Aboriginal children in out-of-home care.

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<sup>23</sup> Government of Western Australia. (2021). *The Aboriginal Empowerment Strategy: Western Australia 2021-2029*, p. 29. Retrieved from: <https://www.wa.gov.au/system/files/2021-09/Aboriginal-Empowerment-Strategy-POLICY%20GUIDE.pdf>

<sup>24</sup> Government of Western Australia. (2021). *Closing the Gap Jurisdictional Implementation Plan*. Retrieved from: [https://www.wa.gov.au/system/files/2021-09/Implementation%20Plan%20-%20CtG\\_1.pdf](https://www.wa.gov.au/system/files/2021-09/Implementation%20Plan%20-%20CtG_1.pdf)

<sup>25</sup> SNAICC – National Voice for our Children. (2019). *The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation*. Retrieved from: [https://www.snaicc.org.au/wp-content/uploads/2019/06/928\\_SNAICC-ATSI CPP-resource-June2019.pdf](https://www.snaicc.org.au/wp-content/uploads/2019/06/928_SNAICC-ATSI CPP-resource-June2019.pdf)



In 2022 the WA Government committed additional investment into child and family services, including early intervention. The 2022-23 State Budget allocated more than \$75 million over 4 years to frontline staff and services to support children in care and those that can remain safely at home.<sup>26</sup> This included \$36.7 million over 4 years to help deliver and enhance child protection services working on the frontline and \$23.9 million over 4 years for early intervention and family support services, with a priority for Aboriginal families. The additional funding will enable EIFS services to reach more children and families, and meet increased demand in Midland and Armadale, while the programs will also be trialled in Halls Creek and the South-West.

This commitment of recurrent expenditure has come after successive years of lower investment than other jurisdictions in family support and intensive family support services. Western Australia has seen lower proportions of expenditure on family support and intensive family support over the past ten years from 2011-12 to 2020-21 compared to other jurisdictions, and the second-lowest rate of children receiving intensive family support in 2020-21.<sup>27</sup>

### Developmental outcomes and access to early childhood education and care

*Early investment in strengthening families provides long-term social and economic benefits by interrupting trajectories that lead to health problems, criminalisation, and child protection intervention.*

*Service engagement and availability barriers must be addressed to ensure access for Aboriginal and Torres Strait Islander families to a full range of culturally safe and acceptable universal early childhood, education, health,*

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<sup>26</sup> Government of Western Australia (2022) *2022-23 Budget Statements: Budget Paper No. 2*, pp. 519-522, retrieved from: <https://www.ourstatebudget.wa.gov.au/budget-papers.html>

<sup>27</sup> SCRGSP (Steering Committee for the Review of Government Service Provision) (2022) *Report on Government Services 2022*, Productivity Commission, Canberra, Table 16A.33 retrieved from: <https://www.pc.gov.au/research/ongoing/report-on-government-services/2022> (accessed 06/10/2022).

*housing, legal and other social services, sustainably resourced in the long term.*<sup>28</sup>

There is strong evidence that access to early childhood education and care (ECEC) for Aboriginal and Torres Strait Islander children in their early years can give them a greater start in life, lead to a smoother transition to school, and provide more positive experiences.<sup>29</sup>

In 2018, WA reported the second highest gap in developmental outcomes between Aboriginal and Torres Strait Islander and non-Indigenous children. They are approximately half as likely to be on track across all five domains of the Australian Early Development Census (AEDC).<sup>30</sup> According to the 2018 AEDC, 59.8% of children in WA were on track to meet their developmental milestones, compared with only 31.3% of Aboriginal and Torres Strait Islander children.<sup>31</sup> Whilst the proportion of Aboriginal and Torres Strait Islander children on track remains concerningly low, this figure has been improving – rising by approximately 10% between 2009 and 2018.<sup>32</sup>

Rates of attendance in preschool are significantly lower for Aboriginal and Torres Strait Islander children in WA, compared to non-Indigenous children. In 2019-20, Aboriginal and Torres Strait Islander children were approximately 20% less likely than their non-Indigenous peers to attend preschool for 600 hours.<sup>33</sup> Furthermore, gains in preschool enrolment and attendance are not reflected in access to education and care services earlier in childhood. In 2019-20, Aboriginal and Torres Strait Islander children aged 0 to 5 in WA were less than half as likely to attend childcare services as non-Indigenous children.<sup>34</sup>

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<sup>28</sup> The Family Matters Campaign (2017) *The Family Matters Roadmap*, retrieved from:

<https://www.familymatters.org.au/wp-content/uploads/2016/11/TheFamilyMattersRoadmap.pdf>, p. 14.

<sup>29</sup> Trudgett, M., & Grace, R. (2011). Engaging with early childhood education and care services: The perspectives of Indigenous Australian mothers and their young children. *Kulumun*, 1, 15 – 16.

Holzinger, L.A., & Biddle, N. (2015). *The relationship between early childhood education and care (ECEC) and the outcomes of Indigenous children: Evidence from the Longitudinal Study of Indigenous Children (LSIC)*. CAEPR Working Paper No. 103/2015. Retrieved from: [https://openresearch-repository.anu.edu.au/bitstream/1885/140346/1/Working\\_Paper\\_103-15\\_0.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/140346/1/Working_Paper_103-15_0.pdf)

<sup>30</sup> The Family Matters Campaign, p. 22

<sup>31</sup> Productivity Commission. (n.d.) *Closing the Gap Information Repository: Socioeconomic Outcome Area 4 Aboriginal and Torres Strait Islander children thrive in their early years*. Retrieved from:

<https://www.pc.gov.au/closing-the-gap-data/dashboard/socioeconomic/outcome-area4>

<sup>32</sup> Ibid.

<sup>33</sup> The Family Matters Campaign, p. 82, p. 84

<sup>34</sup> Ibid, p. 84

A significant gap in WA is the lack of access to preschool for three-year-olds. Financial returns on investments in early education have been found to be highest for children aged 0 to 3 years old, with interventions for disadvantaged children having the highest economic returns.<sup>35</sup> In the Australian Capital Territory and Victoria, Aboriginal and Torres Strait Islander three-year-olds have access to 15 hours of free preschool per week. In WA, the KindiLink program, which operates in 38 primary schools, enables Aboriginal and Torres Strait Islander three-year-olds to attend six hours of free play-and-learn sessions per week if accompanied by a parent or caregiver.<sup>36</sup> A 2018 evaluation of KindiLink found that the program had improved social, emotional, language and cognitive development for participants and supported the transition to kindergarten.<sup>37</sup>

### Building Safe and Strong Families: Earlier Intervention and Family Support Strategy

In September 2016, Communities released the *Building Safe and Strong Families: Earlier Intervention and Family Support Strategy* (EIFS), aimed at delivering earlier intervention services more effectively to families. EIFS includes specific commitments to deliver improved outcomes for Aboriginal and Torres Strait Islander families. Action 4.7, for example, was to develop a culturally safe, intensive in-home support and parenting service for Aboriginal families.<sup>38</sup> This led to the development of Wungening Moort, a service to support families with budgeting, managing appointments, nutrition, education, and counselling and other support, in April 2018.<sup>39</sup> Wungening Moort is delivered by a consortium of Aboriginal community-controlled organisations comprising Wungening Aboriginal Corporation, Coolabaroo Community Services, Ebenezer Aboriginal Corporation and Moorditj Koort.

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<sup>35</sup> Heckman, J.J. (2008). Schools, skills and synapses. *Economic Inquiry*, 46(3), 289-324.

<sup>36</sup> The Family Matters Campaign, p. 84

<sup>37</sup> Barratt-Pugh, C., et al. (2018). *Evaluation of the KindiLink Pilot initiative in Western Australian*. Perth, WA: Edith Cowan University. Retrieved from: <https://www.education.wa.edu.au/dl/7lpmn3>

<sup>38</sup> Department of Communities. (2016). *Building Safe and Strong Families: Earlier Intervention and Family Support Strategy*, p. 11. Retrieved from: [https://www.parliament.wa.gov.au/publications/tables/papers.nsf/displaypaper/4010489aae65d9037786518448258176003e128d/\\$file/489.pdf](https://www.parliament.wa.gov.au/publications/tables/papers.nsf/displaypaper/4010489aae65d9037786518448258176003e128d/$file/489.pdf)

<sup>39</sup> Department of Communities. (2018). *2017-18: Annual Report*. Retrieved from: <https://www.wa.gov.au/system/files/2021-04/department-of-communities-annual-report-2017-18.pdf>

Data indicates that Wungening Moort is helping to keep children safely at home. In 2020-21, 91% of children who were referred to the service remained at home, whilst 86% of children who were reunified with their families through the program remained at home after 12 months.<sup>40</sup>

Beginning in 2018, Social Ventures Australia (SVA) undertook an evaluation of Wungening Moort. The methodology for the SVA evaluation included a comparison of outcomes for families engaged in Wungening Moort with those who accessed mainstream intensive family support (IFS) or pre-birth planning between 2018 and 2020. Families who accessed Wungening Moort were more likely to have their children remain at home (88%) in comparison to the IFS (79.6%) and Pre-birth (79.3%) groups. 94% of families supported through Wungening Moort did not have children who required OOHC within 12 months of ending program involvement, in comparison with 88.5% of IFS and 89.7% of Pre-birth families.<sup>41</sup> The SVA evaluation also found a greater return on investment for Wungening Moort's 'at-risk' stream – the WA government saved \$48.1 million for every \$22.2 million invested. By comparison, the mainstream IFS program saved \$14 million for every \$9.6 million invested.<sup>42</sup>

However, currently there is limited availability of support services delivered by Aboriginal Community-Controlled Organisations (ACCOs) in WA. Currently, Wungening Moort is the only early intervention service exclusively for Aboriginal families. With calls to expand this service, and in response to evidence that early intervention is effective, the WA Government announced the Aboriginal In-Home Support Service would expand into the Peel region. Further information on support services and initiatives being delivered by ACCOs is provided in the following sections of this paper.

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<sup>40</sup> Department of Communities. (2021). *2020-21: Annual Report*, p. 8. Retrieved from: <https://www.wa.gov.au/system/files/2021-10/Department-of-Communities-Annual-Report-2020-21.pdf>

<sup>41</sup> Social Ventures Australia. (2021). *Aboriginal In-Home Support: Summative Evaluation Report*, p. 12-13. Retrieved from: <https://www.wa.gov.au/system/files/2021-05/AISS-Evaluation-Report.pdf>

<sup>42</sup> Ibid, p. 13-14.

## Infant removals

In Australia and internationally there continues to be an increase in families being reported to statutory child protection services during pregnancy and following birth. Infants (children aged <1 year) are now the age group with the highest rate of notification to child protection services, substantiated maltreatment and entry into out-of-home care (OOHC).<sup>43</sup>

Evidence indicates that Aboriginal and Torres Strait Islander infants less than one year old are being removed at disproportionately high rates. In 2020-21, the rate of Aboriginal children aged under 1 year in out-of-home care in WA was 32.3 per 1,000, which was 20.9 times the rate of removal of non-Indigenous infants.<sup>44</sup>

O'Donnell et al. (2019) undertook an analysis of Aboriginal and Torres Strait Islander infants who were removed between 1990 and 2010 to identify the characteristics associated with removal. The study found that they were almost nine (9) times more likely to be removed than non-Indigenous infants. Teenage motherhood, substance misuse, poor mental health, having a child with a disability and living remotely were also identified as risk factors for infant removal.<sup>45</sup> The provision of early intervention supports, including antenatal care, is a crucial opportunity to address these risk factors, and thereby prevent the removal of Aboriginal and Torres Strait Islander children at birth.

## Pre-birth Planning program

Western Australia has been undertaking pre-birth planning with families since 2008 in accordance with a Bilateral Schedule with Health. In March 2019 WA commenced a Pre-birth Pilot to further strengthen practice, with a centrally coordinated model involving independent facilitation of pre-birth and post-birth meetings with families, child protection and stakeholders at two hospitals in the Perth metropolitan – King Edward Memorial Hospital and Fiona Stanley. The program involves planning with families that aims to develop timely responses, that the family's voice is heard so as to increase the involvement in the wider family in safety planning as part of a safety network. Pre-birth planning aims to ensure

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<sup>43</sup> AIHW (2022)

<sup>44</sup> Australian Institute of Health and Welfare (2022), Op. Cit., Supplementary table S5.5.

families are provided with an understanding of the process and their rights including access to legal representation so that families are afforded procedural fairness. This new investment has had significant success, with a 54 per cent decrease in the number of Aboriginal newborn infants entering care from King Edward Memorial Hospital (KEMH). In 2018-19, 103 newborns entered care at birth from KEMH. That figure fell to 70 in 2019-20, the first full year of the program, and to 51 in 2020-21. The State Government is funding \$4.186 million over the next four years to enable more families to be included in the program.

### Addressing the needs of children in out-of-home care

Across Australia, children are remaining in care for longer periods of time – in WA Aboriginal and Torres Strait Islander children account for 43.6% of children who have been in care for a period of five years or more. National data from the AIHW suggests that length-of-time in care is correlated to the likelihood of reunification being achieved. Of all the children who were reunified with family from out-of-home care in 2018-19, more than half (58%) had been living in care for less than 12 months, and 74% had been living in care for less than two years. The prospect of reunification in WA is worryingly low for Aboriginal and Torres Strait Islander children, with only 12% being reunified, compared with 21% of non-Indigenous children.

A common misconception is that children living in OOHC are safe from harm and experience the benefits of a stable, loving home during their time in care. Research illustrates that the WA care system, like other jurisdictions, is under significant pressure and faces significant challenges in ensuring that children receive “stable and supportive care.”<sup>46</sup> In fact, when compared to children who had experienced maltreatment, but not OOHC, children who had a period in care experienced poorer outcomes across education, health and criminal justice involvement.<sup>47</sup>

More needs to be done to enable children to return to their families, and to ensure that children who cannot be reunified are able to build and maintain strong connections to their

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<sup>46</sup> Telethon Kids Institute. (2018). *Exploring outcomes for children who have experienced out-of-home-care*. Perth: Author. Retrieved from: <https://www.telethonkids.org.au/globalassets/media/documents/projects/developmental-pathways-project/dcpfs-outcomes-report-final.pdf>

<sup>47</sup> Ibid.

kin, community, culture, and Country. Unfortunately, adherence to the placement domain of the ATSI CPP, which preferences that when children must be removed, they are placed with extended family members or other Aboriginal and Torres Strait Islander family-based carers, is below the national average. In 2021, 63.1% of Aboriginal and Torres Strait Islander children in Australia were placed with family or other Aboriginal and Torres Strait Islander carers. By comparison, in WA that figure was 61.1%.<sup>48</sup>

The implementation of cultural support plans offers a way to support cultural connection if undertaken in a comprehensive and meaningful way, led by Aboriginal and Torres Strait Islander people from the child's cultural group. In WA, 70.1% of Aboriginal and Torres Strait Islander children in out-of-home care had a current, documented and approved cultural support plan.<sup>49</sup> Regrettably, this data cannot indicate the quality of the cultural support plan or whether it has been implemented.

### The Aboriginal Family-led Decision-Making Pilot

The Aboriginal Family Led Decision-Making (AFLDM) pilot aims to support the rights of Aboriginal families to make decisions about how to keep their child or young person safe and connected to their family, culture, Country and community. In October 2021, following a one-year planning and co-design process, the Pilot commenced with ACCOs in the Mirrabooka (Wungening Aboriginal Corporation) and Mid-West Gascoyne Districts (Geraldton Streetwork Aboriginal Corporation).

AFLDM provides families with a culturally safe space in which meetings are facilitated by an Aboriginal convenor and families can make culturally based and family-driven decisions so as to prevent children coming into care or working towards safely returning children to families. Both pilot sites are engaged with families involved in either pre-birth planning or intensive family support, along with families working towards their children returning safely home. Early evaluation has found that families participating in AFLDM have reported a sense that

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<sup>48</sup> Australian Institute of Health and Welfare (2022) The Aboriginal and Torres Strait Islander Child Placement Principle indicators, AIHW, Australian Government, Indicator 1.1, retrieved from:

<https://www.aihw.gov.au/reports/child-protection/atsicpp-indicators/contents/indicators/placement>

<sup>49</sup> AIHW (2022), *Ibid.*, Indicator 2.2.

their voices are heard, and are better able to collaborate with the Department of Communities to keep their children safe.

The initial funding commitment for the pilot was \$715,000, with an additional \$1.2 million investment recently announced to extend AFLDM in Mirrabooka and the Mid-West Gascoyne through until 30 June 2024.

### Therapeutic Pilot Court

In July 2020 the Perth Children’s Court, in partnership with key stakeholders, commenced a pilot therapeutic court program, which aims to reduce the rate of Aboriginal children in care. The pilot involves a mediation style environment to handle care and protection matters. The Pilot is supported by Communities, Perth Children’s Court, Aboriginal Legal Service, Legal Aid, Djinda, Women’s Legal Service, Mental Health Law Centre, Mental Health Commission and the Family Inclusion Network (FINWA). Dandjoo Bidi-Ak means “together on a path” and symbolises the way the court aims to support Aboriginal families on a journey to reunification. Adopting a therapeutic approach, the court specifically aims to improve outcomes for Aboriginal families involved in protection and care proceedings. The team works to encourage equal participation and open and honest discussions in the court. The team aims to empower and support Aboriginal clients while building positive relationships to continue to deliver improved justice outcomes for these families and other Aboriginal people.

### Children and Community Services Amendment Act 2021

In October 2021, the WA Parliament passed the *Children and Community Services Amendment Act 2021 (CCSA Amendment Act)*. The majority of amendments in the CCSA Amendment Act came into effect on 1 May 2022. The purpose of the Act’s amendments was to introduce new requirements to improve the outcomes for Aboriginal children in care by building stronger connections to family, culture, community, and country and promote greater transparency and accountability. Positively, the amendments include a number of provisions specific to Aboriginal children, families, and communities that relate to community participation, the Aboriginal and Torres Strait Islander Child Placement Principle, consultation with approved Aboriginal Representative Organisations prior to making placement



arrangements and in the development and review of cultural support plans and Aboriginal membership on the Care Plan Review Panel.

Aboriginal and Torres Strait Islander stakeholders have expressed concern that the amendments ignored key input from Aboriginal people, particularly in its failure to adequately recognise the rights of families and communities to self-determination and participation in decision making. The NFSWC and SNAICC made a submission to the Standing Committee on Legislation Inquiry into the Bill in July 2020.<sup>50</sup> The NFSWC and SNAICC submission called for the proposed amendments to include provisions for Aboriginal Family-Led Decision-Making and specific provisions to embed all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle, stating that the amendments in their current form fail to sufficiently recognise the rights of families and communities to self-determination and participation in decisions about the care and protection of their children. The Inquiry report made a number of recommendations and findings for consideration in future legislative reviews, rather than inclusion of SNAICC and NFSWC's recommended amendments in the 2021 CCSA Amendment Act.<sup>51</sup> The Roadmap will offer an opportunity to progress these legislative provisions to uphold the human rights of Aboriginal children.

### Aboriginal Representative Organisations

The CCSA Amendment Act includes provisions for Aboriginal Representative Organisations (AROs), promoting the principle of self-determination as per section 13 of the Act. The new provisions require AROs to be:

- consulted before a placement arrangement is made for Aboriginal children in care; and
- provided the opportunity to participate in the preparation and review of cultural support plans for an Aboriginal child.

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<sup>50</sup> [Inquiry into the Children and Community Services Amendment Bill 2019 \(WA\)](#)

<sup>51</sup> Standing Committee on Legislation (2020) *Report 44: Children and Community Services Amendment Bill 2019*, Inquiry Report, Perth, retrieved from: <https://parliament.wa.gov.au/Parliament/commit.nsf/WCurrentNameNew/100B093DBC8DCE5A48257831003B03A5#reports>

The WA Government has committed \$1.3 million to support the implementation of a 12-month Aboriginal Representative Organisations Pilot in Armadale and the Kimberley region, which will inform the rollout across the State. The Pilot is scheduled to commence in November 2022, following a two-month pre-implementation phase that will focus on working locally to embed the service model in practice.

### Aboriginal Cultural Framework and Aboriginal Cultural Learning Program

In addition to significant legislative reforms, work is continuing to amend the Department of Communities' policy and practice and embed culturally safe and responsive ways of working by improving our cultural competency. State-wide focus groups with Communities' Aboriginal staff occurred in mid-2022 to inform the Communities' Aboriginal Cultural Framework and Aboriginal Cultural Learning Program. The Framework aims to build and maintain Communities' cultural capability through development of a culturally competent workforce with an understanding of Aboriginal cultures, traditions, and protocols, to ensure the delivery of culturally safe and responsive services.

### Aboriginal Community Controlled Organisation Strategy 2022-2032

On the 3<sup>rd</sup> of August 2022, Communities launched the Aboriginal Community Controlled Organisation Strategy ('ACCO Strategy'). The ACCO Strategy seeks to improve Communities' commissioning of services for Aboriginal children, families, and communities by acknowledging the strengths and role of ACCOs in delivering culturally safe services that deliver the best outcomes for children and families.<sup>52</sup> The ACCO Strategy is closely aligned to Priority Reform 2 under the National Agreement on Closing the Gap and intends to both strengthen the ACCO sector and increase the proportion of services delivered by ACCOs. The ACCO Strategy will be supported by a series of implementation plans, the first of these plans has been released alongside the ACCO Strategy and runs from 2022-2024.<sup>53</sup>

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<sup>52</sup> Government of Western Australia, Department of Communities. (2022). Aboriginal Community Controlled Organisation (ACCO) Strategy 2022 to 2032. Retrieved from: <https://www.wa.gov.au/system/files/2022-08/ACCO-Strategy-document-2022.pdf>

<sup>53</sup> Government of Western Australia, Department of Communities. (2022). Aboriginal Community Controlled Organisation (ACCO) Strategy 2022 to 2032: A Call to Action – Implementation Plan One. Retrieved from: <https://www.wa.gov.au/system/files/2022-08/ACCO-Implementation-Plan-2022.pdf>

## Commissioning of out-of-home care services

In WA, Communities is responsible for the delivery of out-of-home care services through direct service delivery and via contract and grant agreements to community service organisations. Over the last 10 years there have been significant changes impacting the out-of-home care system, including population growth and increasingly complex needs of children entering care. Reform was required to reset models of care, funding arrangements and oversight requirements to align Western Australia's child protection work with national frameworks and Closing the Gap targets.

The Out-of-Home Care Commissioning Project seeks to develop a service system that is focussed on the best interests of the child, is coordinated, is flexible and innovative, will deliver quality services accountable to high quality standards, and is sustainable. For Aboriginal children this includes being cared for in care arrangements that meet their physical, emotional, cultural and spiritual needs in keeping with the Aboriginal and Torres Strait Islander Child Placement Principle. It can be expected that the Project will result in an increase in the number of support services delivered by Aboriginal Community-Controlled Organisations (ACCOs) in WA.

On 16 June 2022, OOHC tender documents were released on Tenders WA. This tender process aims to procure approximately 25% of out of home care placements from the community services organisations around WA. The successful organisations will work in partnership with Communities' child protection teams to provide safe, secure and consistent care for children and young people.

This followed extensive consultation with community service organisations and ACCOs to inform the procurement process, and to facilitate the increase of the number of ACCOs delivering out-of-home care services to better meet the needs of Aboriginal children and young people. In line with principles of self-determination, an expression of interest specifically targeting ACCOs was released to identify ACCOs interested in providing care arrangements and supports to children and their families. Forty-three ACCOs responded, from almost every region in Western Australia. To further support ACCOs in the process,

Communities offered one-off \$25,000 grants to build the capacity of ACCOs to deliver out of home care services.

## How are we developing the Roadmap?

### Framework for the Roadmap

SNAICC proposes that the Family Matters Building Blocks (the 'Building Blocks') are utilised to frame the action areas for the Roadmap. The Building Blocks are based on research, best practice and the knowledge of Aboriginal and Torres Strait Islander community and sector leaders. The Building Blocks are:

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

## BUILDING BLOCKS



1. All families enjoy access to quality, culturally safe, universal and targeted services necessary for Aboriginal and Torres Strait Islander children to thrive.



2. Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children.



3. Law, policy and practice in child and family welfare are culturally safe and responsive.



4. Governments and services are accountable to Aboriginal and Torres Strait Islander people.

## Applying lessons from good practice in other jurisdictions

SNAICC will be referring to good practice examples of strategies, reforms and policy frameworks from other jurisdictions that align to the Family Matters Roadmap<sup>54</sup> and which have progressed implementation of the Aboriginal and Torres Strait Islander Child Placement Principle.

Victoria's *Wungurilwil Gaggapduir: Aboriginal Children and Families Agreement* has been a significant step in government commitment towards self-determination. Signed in April 2018, *Wungurilwil Gaggapduir* is the country's first tri-partite agreement between the Aboriginal community, government and community services organisations committing to better outcomes for Aboriginal children and young people. The *Wungurilwil Gaggapduir Strategic Action Plan* outlines specific steps to be taken to address over-representation. Progress is monitored by the Victorian Aboriginal Children's Forum. The agreement and action plan aim to progress self-determination for Aboriginal peoples by ensuring that Aboriginal organisations are fully resourced to participate in program design and delivery. Important and significant features of the Agreement include a commitment to co-design a family services and out-of-home care model in partnership with ACCOs, resourcing for ACCOs to strengthen organisational capability in research and evaluation, and an outcomes framework based on key performance indicators identified by the Aboriginal Children's Forum.

The Family Matters Building Blocks form the basis of Queensland's 20-year generational strategy to eliminate the overrepresentation of Aboriginal and Torres Strait Islander children in the child protection system, *Our Way*. Specific actions under the strategy's accompanying two-year action plans are aligned to each of the Building Blocks. Actions plans are co-designed by the Queensland Government and the First Nations-led First Children and Families Board. *Our Way* has led to a number of significant achievements that support better outcomes for Aboriginal and Torres Strait Islander families. These include:

- the establishment of 33 community-run Aboriginal and Torres Strait Islander Child and Wellbeing Centres, with a commitment of \$150 million over five years;

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<sup>54</sup> The Family Matters Campaign (2017) *Family Matters Roadmap*, retrieved from: <https://www.familymatters.org.au/>

- the engagement of the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) to design and develop a kinship care program in partnership with the ACCO sector; and
- the establishment of the Queensland First Children and Families Board, and appointment of a Children’s Commissioner. Both have a focus on providing advice and oversight to ensure that the Queensland Government and partners are accountable to Aboriginal and Torres Strait Islander peoples.<sup>55</sup>

## Grounding in the knowledges, cultures, and experiences of Aboriginal communities in WA

Although Victoria’s and Queensland’s experience can help inform development of the WA Roadmap, it is essential that the roadmap is grounded in the unique experiences, cultures, and knowledge of the diverse Aboriginal communities throughout WA. Aboriginal and Torres Strait Islander stakeholders in WA have called for a fundamental reorientation of the child protection system by:

- replacing removal with healing and support for families
- prioritising reunification
- enabling self-determination
- strengthening families
- ensuring an Aboriginal-led response
- addressing structural racism
- acknowledging the past as we move forward
- delegating decision-making and authority to ACCOs
- strengthening communities
- knowing and supporting the wellbeing of each child
- prioritising culture, language, Country and kinship
- embedding a holistic and trauma-informed approach
- following the Aboriginal and Torres Strait Islander Child Placement Principle, and

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<sup>55</sup> SNAICC – National Voice for our Children. (2021). *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle Queensland 2020*. Retrieved from: [https://www.snaicc.org.au/wp-content/uploads/2021/03/Reviewing-Implementation-of-the-ATSICPP\\_2020\\_QLD.pdf](https://www.snaicc.org.au/wp-content/uploads/2021/03/Reviewing-Implementation-of-the-ATSICPP_2020_QLD.pdf)

- cultivating strong relationships and communication.<sup>56</sup>

In the following table, the Family Matters Building Blocks are used to set out broad directions for achieving this fundamental reorientation, and to provide a foundation for discussion.

Further detail and specific actions will be developed through the co-design process.

Building Blocks	Potential Actions	Critical Questions
<b><i>All families enjoy access to quality, culturally safe, universal, and targeted services necessary for Aboriginal and Torres Strait Islander children to thrive</i></b>	<ul style="list-style-type: none"> <li>– Introduce Three-Year Kinder to ensure Aboriginal and Torres Strait Islander children have access to 15 hours of funded kindergarten.</li> <li>– Stronger investment in ACCO-led early intervention and prevention services to ensure equity in coverage across the state and enable families to self-refer</li> </ul>	<ul style="list-style-type: none"> <li>– How can the Roadmap improve access to ACCO-led early intervention and prevention services for children and their families?</li> <li>– What initiatives that are currently underway are working successfully and should we be expanding or building upon?</li> <li>– How can the Roadmap ensure that the limited investment in ACCO-led child and family services in WA is addressed?</li> <li>– How will we know we are succeeding in implementing Building Block 1?</li> </ul>
<b><i>Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children</i></b>	<ul style="list-style-type: none"> <li>– Commitment to expand the AFLDM Pilot Project to ensure broader coverage across the state and enable a placed-based approach</li> <li>– WA Government commits to establishing a state-based peak body for Aboriginal and Torres Strait Islander children and families</li> </ul>	<ul style="list-style-type: none"> <li>– How can the Roadmap ensure that Aboriginal and Torres Strait Islander children and their families have increased participation in child protection decision-making?</li> <li>– What role do non-Indigenous organisations have in supporting Aboriginal and Torres Strait Islander people and organisations to achieve self-determination in the context of child and family services?</li> <li>– How will we know we are succeeding in implementing Building Block 2?</li> </ul>
<b><i>Law, policy and practice in child and family welfare are culturally safe and responsive</i></b>	<ul style="list-style-type: none"> <li>– ACCOs are resourced to participate in co-design process for scope and operation of Aboriginal Representative Organisations</li> <li>– ACCOs are resourced to engage in independent policy and advocacy</li> </ul>	<ul style="list-style-type: none"> <li>– How can the Roadmap ensure increased implementation of all five elements of the ATSI CPP?</li> <li>– What is required to successfully implement the legislative measures under the <i>Children and Community Services Amendment Act 2021</i>?</li> <li>– How will we know we are succeeding in implementing Building Block 3?</li> </ul>

<sup>56</sup> Centre for Social Impact. (2020). *Care and Protection System Co-Design Report: Moving to Child Safety and Family and Community Wellbeing*. Retrieved from: <https://www.wa.gov.au/system/files/2021-10/OOHC-Care-and-Protection-System-Co-Design-Report.pdf>



Building Blocks	Potential Actions	Critical Questions
	work around child and family safety and wellbeing	
<b><i>Governments and services are accountable to Aboriginal and Torres Strait Islander people</i></b>	<ul style="list-style-type: none"> <li>– Resourced, independent Aboriginal and Torres Strait Islander governance of the Roadmap</li> <li>– Establishment of a dedicated commissioner for Aboriginal and Torres Strait Islander children</li> </ul>	<ul style="list-style-type: none"> <li>– What would effective, independent Aboriginal and Torres Strait Islander oversight of the Roadmap look like?</li> <li>– How can the Roadmap ensure that Aboriginal and Torres Strait Islander peoples lead in advancing the rights of children in WA?</li> <li>– How will we know we are succeeding in implementing Building Block 4?</li> </ul>

## What happens next

The development of the Roadmap will be guided by principles of partnership and shared decision-making to ensure that Aboriginal and Torres Strait Islander peoples are directly engaged and involved in its development. Partnership and shared decision-making with Aboriginal and Torres Strait Islander peoples has unique elements based on their internationally recognised rights to participate in decisions about the care and protection of their children, including:

1. **Representative participation:** Aboriginal and Torres Strait Islander peoples select their own representatives in decision-making and participate through their own institutions and procedures.
2. **Consultation in good faith:** Negotiations take place with Aboriginal and Torres Strait Islander peoples from the beginning and throughout decision-making with the aim of reaching agreement.
3. **Free, prior and informed consent:** Aboriginal and Torres Strait Islander peoples have adequate financial and technical resources, time and information to reach decisions without external coercion or manipulation. Their perspectives and positions are reflected in the outcomes of decision-making processes.<sup>57</sup>

## Timeline

Year	Month	Steps
2022	October-November	Regional Consultation Forums coordinated and facilitated by SNAICC, in partnership with local ACCOs.

<sup>57</sup> SNAICC – National Voice for our Children. (2013). *Whose Voice Counts: Aboriginal and Torres Strait Islander participation in child protection decision-making*, p. 3-4. Retrieved from: <https://www.snaicc.org.au/wp-content/uploads/2016/03/Whose-Voice-Counts.pdf>

	November	Establishment of Roadmap Leadership Group to guide development of the Roadmap and initial action plan for its first 3 years of implementation.
2023	February	The Leadership Group, regional representatives, SNAICC and Government to participate in co-design forum and Roadmap drafting.
	March-June	Development of first 3-year action plan with direction from the Leadership Group.

## How to get involved

The State Government and SNAICC invite you to be involved in the consultations and development of the Roadmap.

### Attend a consultation forum

You can have your say about what should be included in the 10 Year Roadmap by attending a regional consultation forum. Regional consultation forums are primarily seeking to engage Aboriginal community members and Aboriginal Community Controlled Organisations in WA. Details of regional consultation forums are available on the SNAICC website at:

<https://www.snaicc.org.au/wa-roadmap/>

### Make a written or verbal submission

You can provide a written submission at [submissions@snaicc.org.au](mailto:submissions@snaicc.org.au) or via the post:

SNAICC  
 Policy and Research Unit  
 27 Budd Street  
 Collingwood VIC 3066

If you would like to speak with someone, to provide a verbal submission, please phone the SNAICC Policy and Research Unit on (03) 9419 1921 or email Emily Armstrong at [Emily.armstrong@snaicc.org.au](mailto:Emily.armstrong@snaicc.org.au)