FAMILY MATTERS

Strong communities. Strong culture. Stronger children.

The Family Matters ROADMAP

ACKNOWLEDGEMENTS

The Family Matters Roadmap is a collaborative effort of the Family Matters campaign's national steering committee, the Family Matters Champions Group. Roadmap development was led by SNAICC – National Voice for our Children, in close consultation with members of the Family Matters Policy & Advocacy Working Group, a sub-committee of the Champions Group.

SNAICC and the Family Matters Co-Chairs would like to acknowledge the depth of commitment, energy and knowledge contributed to this roadmap from across Australia by all members of the Policy & Advocacy Working Group.

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INTRODUCTION

When the ground-breaking *Bringing Them Home* report into the Stolen Generations was released in 1997, mainstream Australia was shocked to learn that Aboriginal and Torres Strait Islander children represented 20 per cent of children living in out-of-home care.

Twenty years later, they are over 35 per cent. Despite numerous legal and policy frameworks designed to advance safety, and family and cultural connections for children, the rate of Aboriginal and Torres Strait Islander children in out-of-home care is now almost ten times that of other children, and continues to grow.

The outcomes delivered by child protection systems across Australia are alarmingly poor for children and families, and are achieved at significant and increasing financial and human cost. Recurrent expenditure on child protection and family support services in Australia has reached $4.3 billion, of which $3.6 billion is spent on statutory child protection and out-of-home care.[1] This expenditure has increased by an average of 3.8 per cent per year, and a total of $472 million over the last 4 years. The costs of this system are much greater, however, with children in out-of-home care much more likely to experience poorer health, depression, violence and suicide over their lives; be imprisoned; suffer from alcohol abuse and gambling addiction, and be less likely to have trusting relationships, healthy parenting models, and access to education and economic opportunities. Impacts also ricochet through families through our health, education, welfare and justice systems. Cost benefit analyses demonstrate that improving child safety and rectifying these increasing and unsustainable government costs are best achieved through redressing the causes of child removal, and investing early to better support at-risk families.

The evidence is clear that the strengths to address child well-being and safety concerns lie within Aboriginal and Torres Strait Islander communities. Extensive research shows describing the unique value of Aboriginal and Torres Strait Islander child-rearing practices, the importance of Indigenous-led solutions to improving outcomes, and that continuity of cultural identity is vital to the well-being of Indigenous children. Yet, these strengths continue to be undermined by an ever-deepening crisis of child removal that breaks families apart and disrupts the social fabric of communities.

There is overwhelming evidence of a series of government policy failures in the response to the escalating crisis of child removal. These include:

1. failure to redress high levels of Aboriginal and Torres Strait Islander poverty;
2. failure to intervene early to support, strengthen and heal families and communities from intergenerational effects of colonisation, and separation from family and culture through the Stolen Generations;
3. failure to enable genuine self-determination – a platform in policy, legislation and resourcing that provides communities with opportunities for empowerment, to draw on their strengths and lead responses to the issues facing their children and families; and
4. failure to redress discrimination and perceptions arising from cultural differences in child-rearing practices.

As seen above, it is clear that current efforts are not succeeding and extensive and urgent reform is required to enable better outcomes for Aboriginal and Torres Strait Islander children and to stop the perpetuation of inter-generational harm.

Family Matters: Strong Communities. Strong Culture. Stronger Children is Australia's national campaign to ensure Aboriginal and Torres Strait Islander children and young people grow up safe and cared for in family, community and culture. Family Matters aims to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 2040.

This *Family Matters Roadmap* presents an evidence-based vision and clear strategies for fundamental change to policy and practice. It calls on governments and non-government organisations to respond to the pressing call to work with Aboriginal and Torres Strait Islander communities to arrest these negative trajectories and eliminate over-representation in out-of-home care within a generation (by 2040).

ABOUT FAMILY MATTERS

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

Family Matters is led by SNAICC – National Voice for our Children and supported by a Strategic Alliance of over 100 Aboriginal and Torres Strait Islander and non-Indigenous organisations.

This *Family Matters Roadmap* outlines the evidence-based pathways to realise the overarching goal of the Family Matters campaign and details the policy and practice changes needed to secure improved safety and well-being outcomes for Aboriginal and Torres Strait Islander children. The Roadmap is designed in accordance with the six overarching principles of the campaign outlined below and described in more detail in the *Family Matters Statement of Commitment*.

The Roadmap is grounded in strengths-based, Aboriginal-led solutions to the challenges currently facing Aboriginal and Torres Strait Islander children and families. The building blocks and change priorities identified in the Roadmap are based on research, best practice and the knowledge of Aboriginal and Torres Strait Islander community and sector leaders. This direction has been developed through extensive processes of research and consultation including: seven Family Matters community-level, state wide and national forums; input and review of leading academics; review of literature, and a policy-development process with governments and non-government organisations on priority actions under the *National Framework for Protecting Australia's Children 2009-2020*. A series of change priorities has been drawn from the Roadmap, which provides a strong starting point from which to improve Aboriginal and Torres Strait Islander child well-being and safety, ensuring children are raised safe and well within family and culture. These are included below.

Family Matters will monitor progress towards the campaign's overarching goal through the *Family Matters Report*, which will provide a clear and concise framework for measuring compliance with evidence-based best practice in Aboriginal and Torres Strait Islander child well-being and safety.

The Family Matters campaign: OVERVIEW

GOAL

To ensure that all Aboriginal and Torres Strait Islander children and young people grow up safe and cared for in family, community and culture.

TARGET

To eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 2040.

SUB-TARGETS

1. For Aboriginal and Torres Strait Islander children to enjoy equal access to early intervention and prevention services as non-Indigenous children by 2020.
2. For Aboriginal and Torres Strait Islander children in out-of-home care to enjoy equal rates of reunification with their parents or family as non-Indigenous children by 2025.
3. To eliminate the over-representation in rates of notification of child abuse or neglect of Aboriginal and Torres Strait Islander children by 2030.
4. To eliminate the over representation of Aboriginal and Torres Strait Islander children subject to a substantiation of child abuse or neglect by 2035.
5. To eliminate the over-representation of Aboriginal and Torres Strait Islander children subject to an order of removal into out-of-home care by 2035.

PRINCIPLES

- Applying a child-focussed approach.
- Ensuring that Aboriginal and Torres Strait Islander people and organisations participate in and have control over decisions that affect their children.
- Protecting Aboriginal and Torres Strait Islander children's right to live in culture.
- Pursuing evidence-based responses.
- Supporting, healing and strengthening families.
- Challenging systemic racism and inequities.

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.

OUTCOMES

There are short, medium and long-term outcomes that the Family Matters campaign seeks to achieve as preconditions in order to see all Aboriginal and Torres Strait Islander children grow up safe and cared for in family, community and culture.

Strategies to achieve these outcomes draw on a comprehensive evidence base that describes the importance of reorienting service delivery to focus on prevention and early intervention, while drawing on the strengths of Aboriginal and Torres Strait Islander culture and leadership to drive change. The following section describes the evidence-based focus that will drive the campaign's theory of change to achieve these outcomes.

These are detailed in the diagram on page 12.

Aboriginal and Torres Strait Islander children have grown up safe, well and cared for in their families, communities and cultural traditions for thousands of years.

Yet currently, there is a national crisis that needs urgent attention, with Aboriginal and Torres Strait Islander children making up over 35 percent of all kids in the child protection system.

Working to change this is critical to the future of our families and communities. We must work together to ensure the injustices of the past are properly addressed.

To do this, we need a strengths based approach, grounded on principles which speak to universal human rights.

Without real change now, the song remains the same. It's time for a new approach.

Natalie Lewis, Family Matters Co-Chair

SNAPSHOT OF THE EVIDENCE

EARLY INTERVENTION FOCUS

The term *early intervention*, as it relates to child welfare, is recognised in the literature as having a dual meaning-referring both to interventions early in the life of issues that may lead to child neglect and abuse, and also to interventions targeted early in the life cycle.[2] It encompasses both the active prevention of the development of future problems, and also the proactive promotion of the necessary conditions for a child's healthy development. These definitions reflect a firm base of evidence that care and environmental factors early in life have crucial impacts on later health and well-being outcomes,[3] and that interventions will be more effective the earlier that they are applied to address family issues that may otherwise worsen, compound, and increase the risk of harm to children over time.[4] 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.[5]

STRENGTHS FOCUSED AND CULTURALLY BASED CHILD REARING

Evidence firmly indicates that building on the strengths of families and communities to support their continuing safe care of their children offers the best prospect to secure children's long-term well-being.[6] This is true for *all* children. For Aboriginal and Torres Strait Islander children, there is an additional strong base of evidence that highlights the importance of drawing on the strengths of their communities *and* cultures to keep them safe and well. Evidence highlights: the enduring strength of Aboriginal and Torres Strait Islander child rearing approaches in promoting healthy child development;[7] the critical importance of continuity of cultural identity to child well-being;[8] that better outcomes can be achieved through Indigenous community-led solutions;[9] and the importance of cultural knowledge to making decisions in children's best interests.[10]

TRAUMA-INFORMED HEALING

Aboriginal and Torres Strait Islander individuals, families and whole communities experience trauma that derives from the negative impacts of colonisation, forced child removals (historical and contemporary), family dislocation, loss of identity, and ongoing discrimination. Intergenerational trauma occurs when children experience trauma either through direct exposure to the trauma within their families and communities, or through neglect, abuse and violence that manifest in some families impacted by trauma.[11] The evidence base for the effects of intergenerational trauma can also include biological markers, such as stress being passed from mother to child in utero[12] and evidence from multiple studies showing links between parental experience of trauma and a child's genetic predisposition to post-traumatic stress disorder.[13] Childhood trauma interrupts the normal physical, physiological, emotional, mental and intellectual development of children and can have wide-ranging, and often life-long, implications for their health and well-being.[14] The sheer scope of numbers of Aboriginal and Torres Strait Islander people impacted by the Stolen Generations exposes the importance of redressing trauma, with the *National Aboriginal and Torres Strait Islander Social Survey* (2008) confirming 8 per cent (26,900) of people aged 15 and over were removed from their family and a further 38 per cent of people had relatives who had been removed from their family.[15] A *trauma-informed* approach to protecting children needs to be attuned to the source and impact of trauma experienced by Aboriginal and Torres Strait Islander children and requires family and community healing to interrupt cycles of inter-generational harm.[16]

SERVICE ACCESS AND INTEGRATION

Service integration can be viewed as "the endpoint of a continuum of increasing collaboration between agencies and service providers".[17] It aims to improve service access for families through coordination that makes the service system easier to navigate

and positions services to identify families' needs and connect each family with the right supports at the right time.[18] Integration efforts are important to improve service access for families experiencing vulnerability who are often least equipped with the resources (transport, information, literacy and support) to seek assistance from formal service systems.[19] However, integration is not an end in itself. In the absence of investment in developing a truly universal service system to support family functioning and child well-being, providing assistance with transport and other factors to enable access, *soft* and *hard* entry points, active and assertive outreach, and genuine community participation in planning and delivery of services, will be of limited benefit to vulnerable families.[20] Services are also recognised to be more effective where they target the range of issues affecting families,[21] increasing the likelihood of addressing the root causes of concerns for children. To ensure the design and delivery of a range of service responses are tailored to community-identified needs, service access and integration initiatives should be pursued in the context of affirming Indigenous community control and management of local service provision.[22]

HOLISTIC SERVICE RESPONSES

Linked to the focus on service access and integration, it is critical that a holistic range of services are available and accessible to address the support needs of children, their families and their communities. Evidence describes the importance of ensuring an integrated suite of:

Universal services: Aboriginal and Torres Strait Islander people significantly under-utilise core universal services including early childhood education and care,[23] and maternal health.[24] Their under-utilisation of preventive services connects to their over-representation in tertiary services systems. Tailoring universal services to meet the unique needs of Aboriginal and Torres Strait Islander people has been recognised as effective in overcoming access barriers and enabling stronger community engagement with services.[25]

Targeted family services: Core service types that are identified as critical in targeting families experiencing vulnerabilities include: intensive family support to preserve and reunify families where there are child protection concerns; parenting support services; and other less-intensive casework support for families experiencing lower-level issues. Intensive family support models have been recognised for their efficacy in addressing complex needs for vulnerable families.[26] Research has found quality interventions by Aboriginal and Torres Strait Islander community-controlled intensive family support services address access barriers for families by providing culturally strong casework supports and assisting them to access and navigate the broader service system.[27]

Adult services: Evidence is clear that effective interventions for vulnerable families need to go beyond targeting the parent-child relationship in isolation, to addressing factors impacting parental capacity to care. The literature identifies two key policy and practice directions to ensure adult services address child safety and well-being goals:

(a) That adult services and practitioners adopt family-oriented practice that is attuned to the impacts of adult issues on children;[28] and

(b) That effective service integration enables parents to access adult services through and/or on referral from universal and targeted children and family services.[29]

Research has identified that the three most common parental issues present in cases of child neglect and abuse are: substance misuse; family violence; and mental health concerns, and that the co-occurrence and inter-relation of these factors contributes to risk for children.[30] The impacts of parental incarceration is also especially significant for Aboriginal and Torres Strait Islander families, with adults incarcerated at a rate 13 times higher than for non-Indigenous adults,[31] and up to 80 per cent of Aboriginal and Torres Strait Islander women in prison estimated to be mothers of dependent children.[32] Housing and homelessness issues have also been identified as a major contributor to risks for children, with high Indigenous over-representation in housing and homelessness services, and families living in overcrowded households.[33]

CULTURAL SAFETY

In the context of significant and persistent under-utilisation of universal services by Aboriginal and Torres Strait Islander people, research has strongly recommended that service engagement be supported by service systems and providers that develop cultural competence and service delivery that is culturally appropriate.[34] Aboriginal and Torres Strait Islander organisations have been identified as best placed to provide culturally competent services that are attuned to the needs of their communities, and evidence confirms that these services are more likely to be used.[35] Research notes that *Indigenous specific services offer Indigenous families a safe, comfortable, culturally appropriate environment that is easier to access and engage with*.[36] Service choice is also critical, with high cultural competence also required of mainstream services. Leading cultural competence frameworks all emphasise that competence development is about far more than acquiring a defined set of knowledge – it is a continuous journey of cross-cultural learning that can only happen in deep and genuine relationship with Aboriginal and Torres Strait Islander people.[37] The process of cultural competence development requires a commitment to working in partnership with Aboriginal and Torres Strait Islander people "to produce services, policies and programs that make it possible for Aboriginal and Torres Strait Islander culture to

thrive and to pursue their culture and identity, as is their right".[38]

ABORIGINAL AND TORRES STRAIT ISLANDER PARTICIPATION

Participation of Aboriginal and Torres Strait Islander peoples in decisions that affect them is a core human right,[39] and recognised as critical to decision-making that is informed by a cultral understanding of the best interests of the child.[40] Enabling participation in child protection decision-making is essential to address injustices that were evidenced in forced removals of the Stolen Generations, and to ensure those tragic events are never repeated.[41] Australian and international evidence has confirmed the effectiveness of Indigenous-led service design and delivery that consistently produces better results,[42] and has linked Indigenous community empowerment to broadly positive social and emotional well-being outcomes for community members.[43] Genuine participation based on a human rights framework incorporates: community representative structures for participation; consultation and negotiation in good faith to obtain the free, prior, and informed consent of affected communities; prioritising and safeguarding Aboriginal and Torres Strait Islander culture in decision-making; and enabling the participation of children in decisions made about them.[44]

CULTURALLY SAFE AND RESPONSIVE CHILD PROTECTION LAWS, POLICIES AND PRACTICES

Eliminating the over-representation of Aboriginal and Torres Strait Islander families and children in child protection will require the transformation of Australia's child protection systems. Preventing the need for ongoing contact with child protection services is essential, as is addressing the needs of Aboriginal and Torres Strait Islander families and children, who come in contact with child protection systems. Quality child protection responses can support healing for children, families and communities, preventing inter-generational harm.

Recent failures of child protection systems to adequately meet the needs of children are well documented, with over 30 significant reviews or inquiries into child protection systems completed across Australia over the last decade. Typically, reports of these inquiries include dedicated chapters addressing challenges and reforms needed to better support Aboriginal and Torres Strait Islander children.

The following elements are recognised as providing effective child protection service delivery for Aboriginal and Torres Strait Islander children but are poorly implemented:

The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP): The ATSICPP was designed to recognise the importance of safe care within family and culture to the best interests of children, and to ensure that actions that caused the Stolen Generations are not repeated. Its elements span both prevention of entry to out-of-home care and reunification, to ensure culturally connected placements and enable the participation of Aboriginal and Torres Strait Islander families and communities in child protection decision making.[46] A series of reviews have identified limited understanding of, and compliance with, the ATSICPP's accepted placement hierarchy; inadequate efforts to identify and support culturally connected placements; and a lack of independent participation of Aboriginal and Torres Strait Islander peoples in decisions.[47] At June 2015, non-Indigenous carers cared for 49 per cent of Aboriginal and Torres Strait Islander children in out-of-home care.[48]

Recruitment and support of kinship carers: Kinship care, with its strong potential for maintaining cultural, community and family ties, is premium care for Aboriginal and Torres Strait Islander children. Despite this, kinship carers receive second-rate resourcing and support within Australia's child protection systems.[49] Aboriginal and Torres Strait Islander families are shouldering a large burden of alternative care responsibility in Australia,[50] placing additional strain on families that are often experiencing poverty and multiple stress factors.[51] The availability of safe and culturally connected kinship care placements is further impacted by a shortage of Aboriginal and Torres Strait Islander carers.[52] This shortage is not linked to the unwillingness of Aboriginal and Torres Strait Islander people to provide care – in fact they do so at many times the rate of non-Indigenous carers – though has been commonly associated with a reluctance to engage with child welfare authorities that were involved in creating the Stolen Generations.

Community-based strategies undertaken by Aboriginal and Torres Strait Islander people are most effective for recruiting Aboriginal and Torres Strait Islander carers,[53] however, limited availability of culturally appropriate recruitment and assessment processes continues to impact effective carer engagement.[54] Research has also identified that the under-resourcing of Aboriginal and Torres Strait Islander out-of-home care agencies inhibits support and retention of Indigenous carers.[55]

Supporting cultural connections for children in out-of-home care: For Aboriginal and Torres Strait Islander children who are placed in out-of-home care outside of their families and communities, efforts to support and maintain connections are especially vital to their ongoing well-being and safety. Important aspects of cultural care include both the mapping of

For Aboriginal and Torres Strait Islander children, stability is grounded in the permanence of their identity in connection with family, kin, culture, and country.

cultural connections through accurate genealogies, and the provision of practical supports and resourcing for Aboriginal and Torres Strait Islander children in out-of-home care to connect with, and participate in, the cultural life of their families and communities.[56] Requirements commonly exist for cultural care planning and support in Australia's child protection systems, but limited completion of plans, and limited resourcing and practical supports for implementation, are endemic.[57]

Achieving stability: For children who are placed in out-of-home care, stable, healthy, dependable relationships with adults, and strong understanding of their identity, are vitally important to their well-being and must be promoted. For Aboriginal and Torres Strait Islander children, stability is grounded in the permanence of their identity in connection with family, kin, culture, and country.[58] Recent permanency planning measures across many Australian jurisdictions, which claim to promote stability through longer-term care arrangements for children, may in fact undermine stability for and deepen harm to children, exacerbating inter-generational trauma to families and communities. Such approaches to permanency focus too narrowly on achieving stable out-of-home-care placements rather than stable and reliable relationships with family, kin, culture and country to sustain and nurture a child through life. These measures can permanently separate children from their families and cultures in circumstances where there has been, too often, little effort:

- to work with families to redress issues of concern before removal,
- to support the safe return of children to their families after removal,
- to identify appropriate carers within family or culture equipped to care for these children, or
- to put in place measures to ensure links to culture and family are not extinguished.

Prescriptive legislative requirements that expedite timeframes for permanency planning and place limits on parental contact inhibit the full consideration of an individual child's best interests in decision-making in breach of their human rights.[59]

THE ROADMAP'S BUILDING BLOCKS

This section explores the Building Blocks and the scope of changes required within each Building Block to achieve the Family Matters goal. Each area identified under the Building Blocks requires change across multiple domains of legislation, policy, practice and attitude.

Family Matters partners have developed significant evidence, models and solutions to drive these changes and are committed to collaborating with governments to develop and implement effective strategies to progress towards the Family Matters goal. A more detailed strategy for priority areas will be developed to support engagement with governments and other actors on progressing these areas. Each area focuses on the overarching government responsibilities to create a strong enabling environment, protect children and families from violations of human rights, and provide a safety net. However, ensuring that Aboriginal and Torres Strait Islander children are safe, happy, healthy and able to thrive is a shared responsibility. The strategies in each area can only succeed with the commitment and action of every individual, family, community and organisation, both Aboriginal and Torres Strait Islander and non-Indigenous, who touch the lives of children. Implementing these strategies will require genuine partnerships and meaningful relationships. The building blocks value the knowledge and expertise of Aboriginal and Torres Strait Islander people as central to drive solutions and invite all stakeholders to partner in actions to secure the future wellbeing of children.

A *child rights approach* is essential to the full and sustained realisation of Aboriginal and Torres Strait Islander children's rights to safety, culture, family and an adequate standard of living. A child rights approach: draws on internationally established and supported fundamental rights of all persons; redresses the causes behind endemic problems; embeds participation of those most affected in decisions that impact them and supports them to drive change; focuses on the most vulnerable individuals/groups and the systemic discrimination they experience; and, while recognising rights obligations of many stakeholders, centres on government accountability for progress. Governments have clear obligations to respect, protect and enable human rights, including the rights of children with their specific and unique needs. Many children's rights require progressive realisation, which means that governments should implement appropriate measures towards the full realisation of these rights to the maximum of their available resources. Public accountability, through transparent targets, plans and data, is also essential to focus public attention and government decision-making to ensure these obligations are met and the most effective, evidence-based strategies are used.

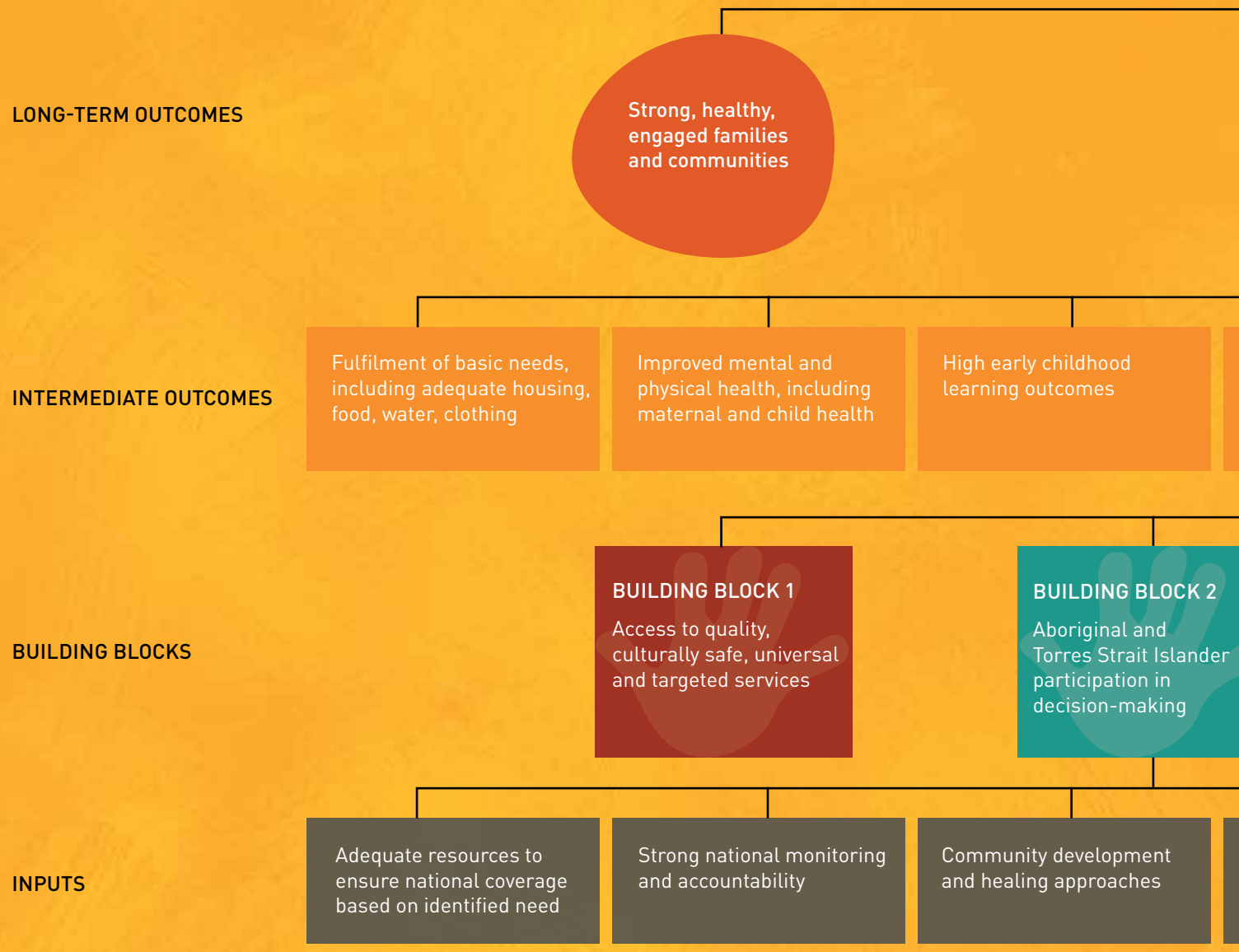
These Building Blocks are designed on the basis of evidence, and Indigenous knowledge and experience of improving Aboriginal and Torres Strait Islander child development, well-being and safety – which are interdependent and inter-related issues, requiring a holistic strategy of redress. Addressing only one without attention to the others will, over time, impede the achievement of sustainable outcomes for Aboriginal and Torres Strait Islander children. This underpins the urgent need for a national strategy to redress over-representation of Aboriginal and Torres Strait Islander children in out-of-home care, developed in partnership with Aboriginal and Torres Strait Islander peoples.

A child's cultural rights directly impact on their ability to meaningfully enjoy every other human right and freedom. Like all human rights, they are universal, indivisible, and interdependent.

Our children's rights, as for all children, are mandatory and sacred. These are not discretionary rights. They are not debatable. Although some rights may be subject to reasonable limitations, they cannot simply be forfeited altogether when a child is removed from home. A child's core human rights cannot be subject to available resources. Unfortunately, this is the case for many of our children.

Andrew Jackomos, Victorian Commissioner for Aboriginal Children and Young People.

The Family Matters ROADMAP OUTCOMES



Children, families and communities are proud of their culture and identity

Direct and indirect discrimination removed

Adequate income, including access to economic opportunities and financial assistance

Freedom from trauma, abuse, violence and neglect

High cultural competency across governments, institutions and services

Government and public respect for culture and understanding of impact of colonisation

BUILDING BLOCK 3

Appropriate laws, policies and practices that are culturally safe and responsive

BUILDING BLOCK 4

Governments and services held accountable to Aboriginal and Torres Strait Islander people

Skilled staff with adequate training and support

Strong peak bodies and independent statutory mechanisms

Integrated, holistic, trauma informed approaches tailored to meet local need

Public campaigns

BUILDING BLOCK 1

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

Aboriginal and Torres Strait Islander families experience significantly higher levels of poverty and disadvantage than non-Indigenous families.

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, housing, legal and other social services, sustainably resourced in the long term.

Providing all Aboriginal and Torres Strait Islander children with the opportunity to thrive on an equal basis with others requires progressing the holistic realisation of their rights, including rights to safety, family, housing, food, health, education, culture and participation. Under this approach, governments should take steps to ensure that quality, culturally safe services required to realise these rights are accessible and available to all Aboriginal and Torres Strait Islander families.

Ensuring families and communities are equipped to care safely for their children will protect future generations from the devastating effects of removal from family, community, culture and country. Aboriginal and Torres Strait Islander families have unique needs for healing supports to address the impacts of inter-generational trauma that have resulted from experiences of colonisation, the Stolen Generations and other discriminatory government policies.

ABORIGINAL AND TORRES STRAIT ISLANDER FAMILIES ENJOY ACCESS TO QUALITY, CULTURALLY SAFE, UNIVERSAL AND TARGETED SERVICES NECESSARY FOR ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN TO THRIVE
All governments and services ensure adequate coverage and capacity of Aboriginal and Torres Strait Islander organisations to lead the design and delivery of integrated and holistic child and family services (also in Building Block 2).
All governments ensure access for all Aboriginal and Torres Strait Islander families to culturally safe and responsive maternal and child health services.
COAG to establish and implement a plan to achieve universal access to culturally safe early childhood education and care services for Aboriginal and Torres Strait Islander children aged zero to six.
All governments redress the acute inadequacy of housing and homelessness supports for Aboriginal and Torres Strait Islander families.
All governments ensure effective systems for families to access economic opportunity and financial assistance for an adequate standard of living.
All governments resource Aboriginal and Torres Strait Islander communities to develop and deliver their own healing approaches, and government and non-government institutions ensure high-quality trauma informed practice is being applied nationally across family support, child protection, health, education, and related adult services under leadership and support from the Healing Foundation.
Services and community leaders embed genuine community development approaches to redress service access barriers, engender holistic, place-based responses and mobilise community driven strategies for change.
All state/territory governments establish strong referral pathways to identify and intervene early on issues impacting family functioning to ensure adequate, culturally safe, wrap around service supports for Aboriginal and Torres Strait Islander families.
All governments resource national support, commensurate with child and family need, of: • Aboriginal and Torres Strait Islander Legal Services (ATSILS) and Family Violence Prevention Legal Services (FVPLS), • culturally safe, holistic, effective family support services that are provided as early as possible for vulnerable Aboriginal and Torres Strait Islander families, and • culturally safe, effective family violence services for Aboriginal and Torres Strait Islander women and children.
All Governments ensure access for Aboriginal and Torres Strait Islander women, men and families to culturally safe, effective, targeted early intervention programs based on voluntary participation, including: parenting support programs; family violence services; voluntary drug and alcohol programs; access to appropriate housing; and mental health services.
All governments prioritise and develop effective, holistic strategies for the reduction of incarceration of Aboriginal and Torres Strait Islander peoples, with particular focus on minimising the impact on children.
All Governments and service providers recognise the prevalence and impact of disability among Aboriginal and Torres Strait Islander children, their families and communities, and provide effective supports through community-led, holistic approaches to individual care, family support, community infrastructure and learning environments that are both culturally inclusive and disability inclusive.

BUILDING BLOCK 2

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND ORGANISATIONS PARTICIPATE IN AND HAVE CONTROL OVER DECISIONS THAT AFFECT THEIR CHILDREN (*SELF-DETERMINATION*)

Self-determination is an essential pre-requisite for improving safety and well-being outcomes for Aboriginal and Torres Strait Islander children and young people, their families and communities. Self-determination is fundamental at all points of contact with the child and family welfare system.

Participation in child protection system design and decision making must extend beyond consultation to genuinely include Aboriginal and Torres Strait Islander children, families and community representatives in the decisions that are made about children at all stages of child protection decision-making. It requires support for community based representative child safety structures to lead local strategies for the safety and well-being of Aboriginal and Torres Strait Islander children. Participation in decision making within existing and reformed child protection systems requires a range of participation mechanisms in law, policy, programs and practice that support effective Aboriginal and Torres Strait Islander peak body, service, family and child participation.

Finally, expansion of service delivery by Aboriginal and Torres Strait Islander organisations involves new investment from government and a preparedness by government and mainstream service providers to progressively step away from direct service provision to Aboriginal and Torres Strait Islander families, and instead actively hand service delivery and decision making responsibility to Indigenous organisations.

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND ORGANISATIONS PARTICIPATE IN AND HAVE CONTROL OVER DECISIONS THAT AFFECT THEIR CHILDREN
All governments invest in the development of Aboriginal and Torres Strait Islander community-based representative child safety and well-being structures to develop local early intervention and prevention strategies, drive local strategies for child well-being and safety, and input to decision-making about the welfare of children and families.
All state and territory governments make Aboriginal and Torres Strait Islander Family-led Decision-Making (AFLDM) processes available to all Aboriginal and Torres Strait Islander families at the earliest possible opportunity when there are child safety concerns.
All state and territory governments establish a resourced legislative role for participation of Aboriginal and Torres Strait Islander organisations in all child protection decisions across the child and family support, and care and protection systems.
All governments resource Aboriginal and Torres Strait Islander peak bodies – across the child, family and legal sectors – to be key representative participants to inform policy development, implementation and evaluation, and support family and service capacity (also in Building Block 3).
All state and territory governments develop legislated mechanisms, in partnership with Aboriginal and Torres Strait Islander people, for the delegation of child protection decision-making and related functions to Aboriginal and Torres Strait Islander organisations (also in Building Block 3).
All state and territory governments ensure adequate systems and capabilities for effective participation of Aboriginal and Torres Strait Islander children in decisions that impact them.
All governments and services ensure adequate coverage and capacity of Aboriginal and Torres Strait Islander organisations to lead the design and delivery of integrated and holistic child and family services (also in Building Block 1).

BUILDING BLOCK 3

LAW, POLICY AND PRACTICE IN CHILD AND FAMILY WELFARE ARE CULTURALLY SAFE AND RESPONSIVE

State, territory and federal governments have responsibilities to transform services for Aboriginal and Torres Strait Islander families to create a culturally safe and competent service system.

Achieving this requires the development of legislation, policy and practice that respect Aboriginal and Torres Strait Islander cultures and reflect the priority to reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection systems. A systems reform agenda to address over-representation must include: the full implementation of the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle; amendment of laws, policies and procedures which discriminate against Aboriginal and Torres Strait Islander children; and the development of cultural competence across the child and family service sectors. Aboriginal and Torres Strait Islander leadership and participation in decisions across the spectrum of child and family welfare are also critical to ensure genuine responsiveness to needs, and decisions in the best interests of Aboriginal and Torres Strait Islander children.

LAW, POLICY AND PRACTICE IN CHILD AND FAMILY WELFARE ARE CULTURALLY SAFE AND RESPONSIVE
State and territory governments implement improved laws, policies and procedures that support comprehensive implementation of the Aboriginal and Torres Strait Islander Child Placement Principle.
Federal and/or state and territory governments fully resource Aboriginal and Torres Strait Islander-led reunification programs, and include them as a policy priority.
All state and territory governments take the necessary action to ensure that arrangements for permanency planning respect and support the rights of Aboriginal and Torres Strait Islander children to family and culture.
All state and territory governments develop and implement culturally appropriate assessment in child protection systems in which risk, including neglect and safety, is defined and measured from reliable, culturally appropriate perspectives.
All state and territory governments review and amend kinship care systems to remove indirect discrimination towards Aboriginal and Torres Strait Islander peoples and ensure adequate supports for carers to care for children.
All governments resource Indigenous peak bodies – across the child, family and legal sectors – to be key representative participants to inform policy development, implementation and evaluation, and support family and service capacity (also in Building Block 2).
All state and territory governments develop legislated mechanisms, in partnership with Aboriginal and Torres Strait Islander people, for the delegation of child protection decision-making and related functions to Aboriginal and Torres Strait Islander organisations (also in Building Block 2).
All governments, institutions and services ensure high cultural competency across child and family support systems, policies, staff and service provision (also in Building Block 4).
All governments embed high-quality transitioning from care supports for all Aboriginal and Torres Strait Islander young people transitioning into independence to ensure the cycle of removal does not continue for future generations.

Governments have clear obligations to respect, protect and enable human rights, including the rights of Aboriginal and Torres Strait Islander children with their specific and unique needs.

For Aboriginal and Torres Strait Islander children, stability is grounded in the permanence of their identity in connection with family, kin, culture, and country.

BUILDING BLOCK 4

GOVERNMENTS AND SERVICES ARE ACCOUNTABLE TO ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

The persistent, escalating rate of removal of Aboriginal and Torres Strait Islander children into out-of-home care is a national crisis that requires a clear and concerted national response.

Various United Nations bodies, including the United Nations Committee on the Rights of the Child, have made serious and repeated recommendations to the Australian Government about the need for better protection and support for Aboriginal and Torres Strait Islander children's rights. These bodies have expressed particular concern about the serious and widespread discrimination that these children experience and the need for long-term strategies to redress the causes of current disadvantage. This invokes the need for a comprehensive national strategy (with targets to measure progress) to redress the gross over-representation of Aboriginal and Torres Strait Islander children in out-of-home care.

Efforts to address over-representation must include public measures of accountability and Aboriginal and Torres Strait Islander peoples in the oversight of reforms, including the development and monitoring of measures of success. Targets are an essential tool to drive intra and inter-government focus, resource allocation and outcome monitoring. Roles for oversight should include adequately resourced Aboriginal and Torres Strait Islander peak bodies for child and family welfare in each jurisdiction and dedicated roles for Aboriginal and Torres Strait Islander children's commissioners.

Challenging explicit and implicit racism is also fundamental to improving Aboriginal and Torres Strait Islander child well-being and safety, and reducing the removal of children. Progress in public understanding of Aboriginal and Torres Strait Islander cultures and the consequences of colonisation is an important focus on many levels. It is key to shifting towards a culturally safe service context; a child and family welfare system that is responsive to Aboriginal and Torres Strait Islander children's needs; a policy context which trusts, values and privileges Aboriginal and Torres Strait Islander knowledge; and ultimately to seeing the public hold governments accountable for their obligations in securing basic Aboriginal and Torres Strait Islander rights.

Decades of research on public policy failure have been inadequate to shift away from paternalistic approaches towards genuinely empowering, self-determining practices. Intensive work on attitudinal change with key decision-makers, other stakeholders, and the broader public, in particular, are key to increasing political will to implement a genuine trauma-informed, preventative approach, which is accountable to Aboriginal and Torres Strait Islander people.

GOVERNMENTS AND SERVICES ARE ACCOUNTABLE TO ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE
COAG to establish a target to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 2040, supported through a national strategy and resources developed in partnership with Aboriginal and Torres Strait Islander people.
All governments create mechanisms for monitoring of Aboriginal and Torres Strait Islander child safety and well-being outcomes, led by Aboriginal and Torres Strait Islander people and/or organisations.
All governments, services and institutions prioritise the removal of racism, cultural blindness, and direct and indirect discrimination towards Aboriginal and Torres Strait Islander peoples.
All governments, services and institutions to invest in public awareness campaigns on Aboriginal and Torres Strait Islander child removal, its causes and consequences, and a strong focus on prevention in accordance with government policy.
All governments, institutions and services to ensure high cultural competency across child and family support systems, policies, staff and service provision (also in Building Block 3).
COAG to invest in developing a nationally consistent, longitudinal data collection that ensures full transparency on child safety and well-being outcomes for Aboriginal and Torres Strait Islander children and families.
COAG to set the following justice targets which are aimed at promoting community safety and reducing the rates at which Aboriginal and Torres Strait Islander people come into contact with the criminal justice system: i. Cut the disproportionate rates of violence against Aboriginal and Torres Strait Islander people to, at the minimum, close the gap by 2040, with priority strategies for women and children, and ii. Close the gap in the rates of imprisonment between Aboriginal and Torres Strait Islander people and non-Indigenous people by 2040.

IMMEDIATE CHANGE PRIORITIES 2016-2017

Family Matters is taking a comprehensive, sustainable, long-term approach to Aboriginal and Torres Strait Islander child safety and wellbeing. The Family Matters campaign is supported by this Roadmap, which outlines four key Building Blocks that are crucial steps in the pathway towards all Aboriginal and Torres Strait Islander children enjoying their rights to grow up safe and cared for in family, community and culture.

The following change priorities are a series of policy asks, drawn from actions set out in the Roadmap, that together will start to make significant inroads in improving child safety and well-being, and reducing the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care. These are the key policy asks of the campaign for 2016-2017.

1. A COAG TARGET TO ELIMINATE THE OVER-REPRESENTATION OF ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN IN OUT-OF-HOME CARE BY 2040 (BUILDING BLOCK 4)

The persistent, escalating rate of removal of Aboriginal and Torres Strait Islander children into out-of-home care is a national crisis that requires a clear and concerted national response. Evidence calls for an integrated strategy that redresses the causes of Indigenous child removal. This should cover areas of both federal and state powers, including: family support; inadequate housing and homelessness; social security; family violence; drug and alcohol misuse; health and mental health; early childhood education and care; and child protection. Strategies must include public measures of accountability, which are essential tools to drive intra and inter-government focus, resourcing and monitoring of outcomes.

The Coalition of Australian Governments (COAG) has a role in child protection, with its carriage of the *National Framework for Protecting Australia's Children 2009-2020.* **We call on COAG to lead a comprehensive, adequately resourced national strategy and target, developed in partnership with Aboriginal and Torres Strait Islander peoples, to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care. Family Matters commits to being partners in this process and ensuring that COAG has the necessary policy frameworks and evidence to achieve this goal.**

2. INCREASED INVESTMENT IN EARLY INTERVENTION TO SUPPORT FAMILIES AND PREVENT CHILDREN BEING PLACED AT RISK IN THE FIRST PLACE (BUILDING BLOCK 1)

Despite Australia-wide endorsement of a public health model for child safety, 83 per cent of the $4.34 billion child protection budget remains targeted at the tertiary end of the spectrum, in out-of-home care. Australia is in fact moving backwards, with investment in family support services for vulnerable families decreasing from 19.2 per cent to 16.6 per cent of total child protection expenditure over the period 2011-12 to 2014-15.

Simply put, we're investing in *responding* to incidents that place children at risk, rather than *preventing* them from happening in the first place.

Further funding is essential across the child protection spectrum. However, the rate of removal of Aboriginal and Torres Strait Islander children into out-of-home care cannot change without a focus on intervening early to support, strengthen and heal families.

What is most urgent is nation-wide emphasis on Aboriginal and Torres Strait Islander led:

a) **Holistic, best practice, intensive family support, preservation and reunification services** tailored to vulnerable Aboriginal and Torres Strait Islander families, provided at the earliest possible point, and

b) **Targeted early intervention programs for mothers** to redress issues impacting the care of children. This includes: lack of culturally safe antenatal care; family violence; trauma; drug and alcohol misuse; mental health issues; lack of parenting support, and lack of available housing.

Therefore, Family Matters calls for increased investment for family support services to comprise 30 per cent of all state and territory annual child protection expenditure and for the Federal Government to restore, over the forward estimates, the $534 million cut from the Indigenous Affairs portfolio in the 2014 Budget to prioritise effective family support services for families at risk of child removal and reunification as a key policy objective.

3. GOVERNMENT INVESTMENT IN ABORIGINAL AND TORRES STRAIT ISLANDER FAMILY AND COMMUNITY PARTICIPATION IN CHILD PROTECTION DECISION-MAKING (BUILDING BLOCK 2)

Self-determination is an essential pre-requisite for improving safety and well-being outcomes for Aboriginal and Torres Strait Islander children and young people, their families and communities. Participation in child protection decision making must extend beyond consultation to genuinely include Aboriginal and Torres Strait Islander children, families and community representatives in the decisions that are made about children at all stages of child protection decision-making.

There has been little progress on this issue despite it being consistently highlighted in the countless child protection inquiries conducted over the last few decades. The lack of effective mechanisms to enable participation in child protection decision-making remains stark, with only Victoria and Queensland requiring any form of participation of an external Aboriginal and Torres Strait Islander agency for all significant child protection decisions. Similarly, only Victoria has a state-wide Aboriginal family led decision-making program. Ultimately our children, families and communities continue to feel alienated from, discriminated against, and disempowered by child protection systems.

Family Matters calls for priority to Aboriginal and Torres Strait Islander family and community participation through government investment in:

a) **State/territory-wide Aboriginal and Torres Strait Islander Family Led decision-making programs;** and

b) **A $2 million Family Matters program to trial local community strategies** to strengthen families, redress local risks of abuse and neglect for children, oversee child safety and well-being, and input to decision-making on the care and safety of Aboriginal and Torres Strait Islander children.

4. PRIORITISATION OF ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY CONTROLLED SERVICES (BUILDING BLOCKS 1&2)

Australian and international evidence has confirmed Indigenous-led service design and delivery consistently produces better results, and has linked Indigenous community empowerment to positive social and emotional well-being outcomes for community members. It is critical that all Australian governments support the vital role of Aboriginal and Torres Strait Islander community organisations in leading the design and delivery of integrated and holistic child and family services based on their knowledge of local needs.

In implementing the above policy asks, **Family Matters calls for prioritisation of Aboriginal and Torres Strait Islander developed, managed and delivered services. This requires preference in procurement processes in all jurisdictions for Aboriginal and Torres Strait Islander services, or where they are not available, genuine partnership with local Aboriginal and Torres Strait Islander services or communities. It also requires funding of Aboriginal and Torres Strait Islander services that reflects community need.**

5. REFORM OF PERMANENCY PLANNING MEASURES ACROSS ALL JURISDICTIONS TOWARDS STABILITY, ENSURING ADEQUATE MECHANISMS TO STRENGTHEN FAMILIES AND TO PROTECT CHILDREN'S RIGHT TO FAMILY AND CULTURE (BUILDING BLOCKS 1 & 3)

For children who are placed in out-of-home care, stability of relationships and identity are vitally important to their wellbeing and must be promoted. For Aboriginal and Torres Strait Islander children, stability is grounded in the permanence of their identity in connection with family, kin, culture, and country.

Family Matters has significant concerns about recent permanency planning measures across many Australian jurisdictions, which claim to promote stability through longer-term care arrangements for children. There are strong grounds to suggest that the current measures will in fact undermine stability for and deepen harm to children, exacerbating inter-generational trauma to families and communities. These measures can permanently separate children from their families and cultures in circumstances where there has been too often little effort: to work with families to redress

issues of concern before removal; to support the safe return of children to their families after removal; to identify appropriate carers within family or culture equipped to care for these children; or to put in place measures to ensure links to culture and family are not extinguished. Given the disparity in health, social, and economic status, and the significant impacts of intergenerational trauma, in Aboriginal and Torres Strait Islander communities more time is needed to address these issues before state governments pursue this policy agenda or we risk repeating many of the mistakes of the past.

Accordingly, Family Matters seeks implementation of effective measures that ensure removal is an option of last resort, that support the safe return of children to their families, and that ensure adequate safeguards to protect Aboriginal and Torres Strait Islander children's right to family and culture. Family Matters calls for an embargo on all permanent or long-term court orders placing Aboriginal or Torres Strait Islander children in out-of-home care for at least two years to prevent the disconnection of a child's link to their family and culture while these reforms occur. Short-term orders during these reforms could adequately serve the needs of parties.

We need a new approach to the safety and well-being of our children – one that trusts Aboriginal people to deal with Aboriginal business, one of genuine collaboration and partnership.

There is already commitment across our communities and within government – all that is needed is to bring that energy together to work collectively and make this a reality."

Gerry Moore, Co Chair - Family Matters

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