August 2024 QUARTERLY SECTOR FORUM OVERVIEW





Wolli Creek, Sydney - Bidjigal Country **20–21 August, 2024**



Aboriginal and Torres Strait Islander readers are warned that the following report may contain images of deceased persons.

healing and empowerment of our people, guided by the wisdom and resilience that

have sustained us for generations.



Who we are

AbSec is the peak organisation concerned with the welfare of Aboriginal and Torres Strait Islander children, young people and families. We advocate for their rights, while supporting carers and communities. Our main priority is to keep children and young people safe, with the key goal of also keeping them within their family and community. It is vitally important that our youth grow up surrounded by those who understand them, comfortable within their own culture where they thrive.

AbSec ensures Aboriginal and Torres Strait Islander children, young people, families, carers and communities have access to services and support that give them the best possible chance to fulfil their potential. We work with both Aboriginal Community-Controlled Organisations and non-Aboriginal organisations, as well as government agencies and other stakeholders, to steer and coordinate efforts to close the gap. We are driven to advocate for a society where all children and young people have the same opportunities, regardless of cultural heritage.

At the core of this vision is our efforts to develop a tailored approach to Aboriginal and Torres Strait Islander child and family supports. We want to deliver universal, targeted and tertiary services that cover the full gamut of care. The aim is to create a system that recognises vulnerabilities in families and mitigates risk factors, reducing the need for invasive interventions. The fewer children and young people who need to be removed from their families, the better off we will all be. We also want to see more tailored Aboriginal and Torres Strait Islander out-of-home care and after-care services, with the goal of ending the cycle of disadvantage that continues to impact generations of Aboriginal and Torres Strait Islander families.

The bottom line is that we want to see Aboriginal and Torres Strait Islander children and young people cared for in safe, thriving Aboriginal and Torres Strait Islander families and communities, where they are raised strong in spirit and identity. We want them to have every opportunity for lifelong wellbeing and connection to culture, surrounded by holistic supports.

In working towards this vision, we are guided by these principles:

- Acknowledging and respecting the diversity and knowledge of Aboriginal and Torres Strait Islander communities.
- Acting with professionalism and integrity in striving for quality, culturally responsive services and supports for Aboriginal and Torres Strait Islander families and communities.
- Underpinning the rights of Aboriginal and Torres Strait Islander peoples to develop our own processes and systems for our communities, particularly in meeting the needs of our children, young people, families and carers.
- Being holistic, integrated and solutions-focused through Aboriginal and Torres Strait Islander control in delivering outcomes for Aboriginal and Torres Strait Islander children, young people, families and communities.
- Committing to a future that empowers Aboriginal and Torres Strait Islander families and communities, representing our communities, and the agencies there to serve them, with transparency and drive.

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Glossary of acronyms

AARC Aboriginal Authority for Restoring Children

AbSec AbSec - NSW Child, Family and Community Peak Aboriginal Corporation

ACCO Aboriginal Community-Controlled Organisations

ATSICPP Aboriginal and Torres Strait Islander Child Placement Principle

BTHKTH Bring Them Home, Keep Them Home

DCJ NSW Department of Communities and Justice

EOI Expression of Interest

IPART Independent Pricing and Regulatory Tribunal

NSW New South Wales

NGO Non-Government Organisation

OOHC Out-of-home Care

PSP Permanency Support Program

SCMSAC South Coast Medical Services Aboriginal Corporation

SteerCo Steering Committee

UTS University of Technology Sydney

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About the Sector Forum

AbSec held their Quarterly Sector Forum at Novotel Sydney International Airport, Wolli Creek, on Bidjigal Country over two days, 20-21 August.

> The thematic content for this Sector Forum was "Empowerment through Partnership: Shaping the Future Together".



The following topics and workshops were discussed over the two days of the Sector Forum:

- Introducing the 'Know Your Rights' website resources to support families navigating the child protection system
- Creating the AARC (Aboriginal Authority for Restoring Children) Practice Framework
- Partnering to support transitions Goodradigbee and Uniting NSW-ACT
- What did we learn from the ACCO forum in July?
- Building a sustainable Aboriginal and Torres Strait Islander child and family sector workforce:
- · What is happening nationally under Safe and Supported
- Progress on Priority Reforms in NSW
- · Aboriginal Community Data Platform: Update on design concepts

AbSec would like to acknowledge and share our appreciation for Uncle Allen Madden, Gadigal Elder, who performed a Welcome to Country for all who attended the forum.

We would also like to express our appreciation and gratitude to Uncle Brendan Kerin for his yidaki performance and the Brolga Dance Academy's performance at our evening event.

August Sector Forum Report

Who Attended

The Sector Forum was open to Aboriginal and Torres Strait Islander and non-Aboriginal leaders from organisations across the sector. The event has continued to have growing interest with registrations and attendance numbers continuing to rise at each Sector Forum.

individual attendees

organisations represented over the 2-day event

Organisations that registered included:



































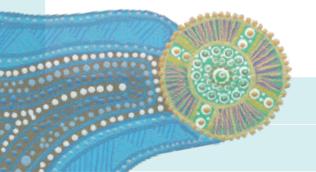












Introducing the 'Know Your Rights' website

Resources to support families navigating the child protection system

Neika Tong, Research Officer, UNSW Sydney Associate Professor BJ Newton, UNSW Sydney

The "Know Your Rights" project, developed through the Bring Them Home, Keep Them Home (BTHKTH) research, 'aims to equip Aboriginal and Torres Strait Islander families with greater knowhow in navigating the child protection and out-of-home care system. This initiative has been made possible through collaboration between AbSec, Waminda, the South Coast Women's Health and Welfare Corporation, South Coast Medical Services Aboriginal Corporation (SCMSAC), Illawarra Aboriginal Corporation and the University of Technology Sydney (UTS) and the efforts of the UNSWled research team, under Dr. BJ Newton.

The research behind this project has focused on understanding the experiences of Aboriginal and Torres Strait Islander parents, particularly those who have had children taken into out-of-home care and are working towards restoration. The project specifically seeks to empower Aboriginal and Torres Strait Islander parents by providing accessible information about their legal rights and the



processes involved in reuniting with their children.

The Know Your Rights Website

The website is designed as a practical tool for Aboriginal and Torres Strait Islander parents, featuring information on their legal rights, the Department of Communities and Justice (DCJ) policies, and the frameworks surrounding out-of-home care. The content is tailored to be accessible while also reflecting the complexities of the system. It includes contributions from parents based on lived experience, as well as expert input from ACCO caseworkers, lawyers, and researchers.

Key features of the website include:

- Comprehensive, user-friendly content: A breakdown of rights and actions parents can take to have their children brought home, including flowcharts for understanding the process and steps for addressing safety concerns.
- Practical resources: Workbooks for parents to document their case and improve their interactions with the system. Topics covered include safety assessments, family strengths, and crisis points.

Future plans and development

The project will continue to evolve with additional phases, including the creation of more detailed flowcharts for understanding the court system, the production of educational videos for parents, and further accessibility features such as audio options. The next phase will also involve the launch of workbooks covering critical areas like domestic and family violence, pregnancy, and preparing for meetings with DCJ.



Feedback and engagement

The project team is actively seeking feedback to refine the website and its resources. They are particularly interested in understanding the risks identified by the community, the information gaps, and how best to promote the website to Aboriginal and Torres Strait Islander families. Feedback will inform the final version of the website.

The "Know Your Rights" project represents a vital resource for Aboriginal and Torres Strait Islander families impacted by the out-of-home care system, offering clear, practical information and support. As it continues to develop, it will provide critical tools for parents to advocate for their rights and reunite with their children. The feedback gathered from the community will be instrumental in ensuring the project's success and effectiveness.

For further information or to provide feedback, participants are encouraged to contact AbSec's Policy & Advocacy team, at policy@absec.org.au

Creating the AARC Practice Framework

Interactive Aboriginal Authority for Restoring Children workshop

Associate Professor BJ Newton, UNSW Sydney Kimberly Chiswell, Practice Lead Aboriginal Authority for Restoring Children, AbSec

The Aboriginal Authority for Restoring Children (AARC) is an Aboriginal community-led initiative designed to restore Aboriginal and Torres Strait Islander children from out-of-home care (OOHC) in New South Wales. The AARC is being developed in response to the alarmingly low restoration rate of Aboriginal and Torres Strait Islander children in NSW, with only 15% being returned home following final orders.

This is compounded by a 41% decrease in restoration numbers for Aboriginal and Torres Strait Islander children between 2011–12 and 2020–21. Insights from the Bring Them Home, Keep Them Home research led to the advocacy and creation of the Aboriginal Authority for Restoring Children.

Bring Them Home, Keep Them Home

Charting the experiences, successful pathways and outcomes of Aboriginal families whose children have been restored from out-of-home care.

The BTHKTH research is a four-year project funded by the Australian Research Council, due to end Sept 2025. In partnership with AbSec, Waminda, South Coast Medical Service Aboriginal Corporation, & Illawarra Aboriginal Corporation, this research has worked with more than 230 people through interviews, practitioner forums and community forums about their views and experiences of restoring Aboriginal and Torres Strait Islander children from OOHC.

The AARC aims to address the systemic barriers that prevent Aboriginal and Torres Strait Islander children from returning home, including:

Restoration Barriers - Parent's experiences

Restoration barriers are a significant issue for parents navigating the child protection system. In many cases, children are removed during periods of intense stress, grief, and trauma within the family. Families are often already experiencing hardships, such as family and domestic violence, homelessness, the death of a loved one, relationship breakdowns, or mental health struggles, when DCJ intervenes. Rather than providing support, the system tends to prioritise removal, operating as it was designed.

Factors such as the distance of a child's placement, family dynamics, or carer preferences can also prevent contact between parents and children. Parents are often treated as inferior, criminalised, and pathologised, further compounding the stigma they face. Systemic issues, like high caseworker turnover, poor practice, delays in court processes, and mistakes in court documents or other paperwork, significantly impact the restoration process and make it even more challenging for families to navigate.

Experiences with DCJ

Experiences with DCJ often involve unclear processes, with shifting expectations and moving goalposts that create confusion and frustration. Families are frequently required to jump through unnecessary hoops, while unrealistic expectations are imposed. A common issue is the tendency to blame parents, particularly mothers, for circumstances beyond their control.

The system demonstrates clear power imbalances, where these disparities are used to intimidate and disempower families. This leads to unnecessary cruelty and systemic injustices, including silencing, dishonesty, negligence, coercion, control, and discrimination. The system

also perpetuates racism, violence, and abuse, prioritising its own agenda over the well-being of families. Other concerns include laziness, stigmatisation, incompetence, misrepresentation of facts, and a lack of accountability, all of which compound trauma and further undermine trust in the system.

Overcoming these barriers

To overcome these barriers, the AARC will:

- Establish an Aboriginal Community Controlled governance structure: The AARC will be overseen by an Aboriginal Restoration Governance Group composed of senior Aboriginal and Torres Strait Islander leaders from across different sectors and communities who will guide key decisions and ensure accountability.
- Establish the AARC Central Project Team: Based within AbSec, the AARC Central Project Team will be responsible for the development of AARC official processes, documentation, tools, governance, research and monitoring as well as recruitment, training and ongoing support for Restoration Practitioners. The Central Project Team will also act as a conduit between the Restoration Practitioners and the Aboriginal Restoration Governance Group and will be working across DCJ and ACCOs to respond to practice needs.
- Employ dedicated Restoration Practitioners: Based in (ACCOs, these practitioners will be specially trained to work with children, families, carers, and other practitioners to support the restoration process.
- Implement a comprehensive case review process: This will involve a thorough review of existing casework practices and the development of individualised restoration plans.
- Provide post-restoration support: The AARC will assist families with developing sustainability plans and accessing ongoing supports to ensure successful long-term restoration.

The AARC is currently in the planning phase, with implementation expected to commence in July 2026. Key next steps include:

- Engaging with the sector: This involves identifying early adopter sites, planning for statewide rollout, and gathering feedback from ACCOs, NGOs, and DCJ on the proposed Practice Model.
- Developing the Practice Model: This includes engaging with parent experts, community members, and carers, and conducting a Child Story case file review project to inform the creation of a Restoration Review Tool and Training Package.
- Developing the Business Case: A Business Case is being developed for submission to NSW Treasury in June 2025 to secure funding for the AARC.

The AARC represents a significant step towards addressing the overrepresentation of Aboriginal and Torres Strait Islander children and young people in OOHC and ensuring that they have the opportunity to return home to their families and communities.

Partnering to support transitions

Goodradigbee and Uniting NSW-ACT

Caine Carroll, Director, Goodradigbee Cultural & Heritage Aboriginal Corporation Gavin Mackey, Director First Nations Strategy & Outcomes, and Anita Le Lay, Executive Head of Specialist programs, Uniting NSW-ACT

This forum session spoke about the transition partnership between Goodradigbee and Uniting. In 2019, Uniting's partnership with Gaba Yula dissolved, prompting the organisation to hire a consultant for community engagement. The goal was to reflect on the past, explore future options, and co-design new strategies. A 2020 workshop in Western Sydney, attended by nearly 40 community members, marked the first steps in this process.

Various partnership models were considered, and an Expression of Interest (EOI) process was initiated to attract ACCOs in Western Sydney. Goodradigbee emerged as the successful applicant in March 2021. Uniting then employed a Transition Manager and established a Steering Committee (SteerCo), which included a First Nations Chair, to oversee the transition. A Working Group met monthly to manage the process.

The transition was structured into four stages:

- 1. Application & Preparation: This stage focused on establishing the partnership agreement, business plan, and organisational structure. It also involved onboarding a Transition Project Manager and building stakeholder relationships.
- 2. Transition: This phase addressed board governance, IT assessment, record-keeping, communication strategies, and preparations for VOOHC accreditation.
- 3. Establishment: Key activities included implementing business and IT software, developing policies and procedures, engaging with carers, and re-establishing the SteerCo.
- 4. Ongoing Establishment and Accreditation: This phase concentrated on fostering employee connections, reviewing systems, and engaging with the OCG to initiate full accreditation discussions. A workforce transition issues paper was developed during this stage.

Several key milestones were outlined in the project timeline. Important stages, such as Partnering, Identifying Needs, and Initial Establishment, were completed by June 2022. By March 2023, Uniting lodged for OCG Provisional Accreditation. By June 2023, the partnership achieved Provisional OCG Accreditation and began the contract transfer process. The final phase of the transition, including the full contract transfer and Goodradigbee's exit from Uniting's PSP program, is expected to be completed by December 2024.

To ensure ongoing support, Uniting has committed to a 12-month post-transition support plan for Goodradigbee, which will extend until June 2025. This plan includes resource sharing, staff training, recruitment assistance, and the provision of assets like laptops and mobile phones. Additionally, Uniting will offer ongoing advisory support through an advisory group.

The partnership was guided by a First Nations Partnership Framework, based on three key principles: "Start Strong," which focuses on building relationships grounded in trust, communication, and alignment with Uniting's values; "Show Up," which involves investing time in relationships, being flexible, and prioritising mutuality; and "Always Learn," which emphasises continuous learning, reflecting on practices, and adapting governance processes. Cultural governance principles such as human rights, respect, and free, prior, and informed consent formed the foundation of the partnership. A partnership health metric will be developed in FY25 to measure the partnership's performance and the trust between the organisations.

What did we learn from the July ACCO forum?

Alira Tufui, Director Sector Operations, AbSec George Blacklaws, Director, Native Pulse

This session summarised the key findings and outcomes of the ACCO Sector Forum, which was held on 17 and 18 July 2024. The forum focused on two key areas: Guardianship and the Growth and Sustainability of the ACCO Sector.

Guardianship Orders and the Role of ACCOs

Under the current Guardianship orders, full parental responsibility is determined for a child or young person when there is "no realistic possibility of restoration". They will be placed with a "relative, kin or suitable other person" until they are 18 years of age.

According to DCJ, "Guardianship orders are made by the Children's Court of NSW on a final and long-term basis by placing a child or young person in the independent care of a guardian. Such orders are made as an alternative to foster or out-of-home care where the court decides it's not safe for a child or young person to live with their parents."

In the last decade, there were 5 key Guardianship policy moments that directly affected Aboriginal and Torres Strait Islander children, young people and families. These, and their impact, need to be considered when discussing the needs of Aboriginal and Torres Strait Islander children, young people and families and the role that ACCOs play moving forward.

Throughout 2020, AbSec worked towards addressing issues that came from the change to Guardianship orders in Aboriginal and Torres Strait Islander communities across New South Wales. During this time, AbSec led a co-design process to develop types of supports wanted by families in two selected areas in New South Wales. This led to AbSec's collaboration with project partners and funders to trial a new model of support for Aboriginal and Torres Strait Islander children and young people on Guardianship that has been co-designed with guardians, carers, community members, service practitioners and government partners. This trial ran from 2021-2023 in the Hunter and Sydney's Southwest area.

When designing the model, AbSec spoke with people who have been affected by the transition to Guardianship orders, as guardians have not been eligible for ongoing assistance and support from DCJ or an OOHC agency to help them meet the long-term needs of a child or young person with a Guardianship order.

What arose from the ACCO sector forum was the need for greater influence of ACCOs in ensuring children and young people remain connected to their culture, providing ongoing support and ensuring all carers receive meaningful financial assistance. This session and sector feedback will be fed into policy, to create a more meaningful direction and impactful leadership.



Findings: Sector feedback

The Pulse report showcased high-level feedback from stakeholders and forum participants on Guardianship. These can be broken down into 5 key action points:

- 1. Guardianship can work well for Aboriginal and Torres Strait Islander children and young people if they are placed with family or kin.
- 2. Children and young people's voices need to be heard in the process.
- 3. Aboriginal and Torres Strait Islander families need to be actively involved in decisions.
- 4. Safeguards to ensure cultural and family connections for children and young people must be

Forward plan

As reflected in the Native Pulse Report, the suggested journey timeline is as follows:

By 21 September: Native Pulse plans to deliver a draft AbSec Policy Paper for 2024, based upon initial sector and stakeholder feedback that's reflected in this report and from the AbSec quarterly sector forum in August 2024.

By 30 September: The draft policy position paper is presented to targeted stakeholders for formal feedback.

By 31 October: The position paper is refined in response to feedback and launched at the November Child and Family Conference, scheduled for November 2024.

To summarise, Guardianship orders work well when children and young people are kept with family and kin, communication is consistent with all parties and families are actively involved in decisions. A key piece of sector feedback is the need for more safeguards, especially to ensure cultural and family connections are maintained.

Next steps

The ACCO forum marked an important step towards addressing the challenges faced by ACCOs and ensuring they can effectively support Aboriginal and Torres Strait Islander children, young people, families, and communities. The report outlines a forward plan to implement the recommendations, including the development of new policies, funding models, and evaluation systems.

Key actions to be taken include immediate efforts for ACCOs to form partnerships and apply for funding collaboratively, a six-month trial of the AbSec Aboriginal-led Commissioning Framework, and a 12-month timeline for the NSW Government to reform procurement and commissioning processes to streamline funding for ACCOs. The report concludes with a call for the NSW government to listen to the community and respond to the urgent need for change in how ACCOs are funded and supported.

The forum was a significant and crucial step in understanding community needs when it comes to the direct impact of Guardianship, as well as functionally on ACCO. There is a strong call for more engagement with government in every step of policy building, where the government should actively listen and enable change. ACCOs need more sustainable funding for capacity building to fully support and meet that call, as opposed to the rigid, inflexible nature of funding to date. Overarchingly, we need time to provide and allocate resources, greater data pools for more datainformed decisions and legislation that reflects the feedback and concerns of our community. Collectively, and conclusively, we need the NSW Government to start to listen to the community and respond accordingly.

IPART OOHC Costs and Prices Review

Independent Pricing and Regulatory Tribunal (IPART)

Sally Cowling, Director Policy & Advocacy, AbSec

The AbSec Director of Policy & Advocacy provided an update on the IPART's interim report on out-of-home care costs and pricing, published in September 2024. The report examines the cost structures of OOHC in New South Wales (NSW), focusing on care by both DCJ and non-government providers, including ACCOs.

The IPART Interim report highlights that while the DCJ oversees NSW's OOHC system, there is a lack of transparency in the funding for care of Aboriginal children by ACCOs, and the funding does not reflect actual costs. The NSW government has committed building the Aboriginal communitycontrolled sector, as ACCOs are best placed to care for Aboriginal and Torres Strait Islander children and young people. Despite this committment, most Aboriginal and Torres Strait Islander children are placed with non-ACCO providers, and the current funding structure is insufficient to meet their needs. Concerns were raised about the \$150,000 Aboriginal Transition Support Payment, which lacks transparency and is the same for all ACCOs regardless of size or capacity.

The report also points out that the \$1,734 difference between the Aboriginal Foster Care baseline package and the general Foster Care package is not enough to cover the additional costs for culturally appropriate care. Further concerns were raised about whether the \$4,164 one-off cultural plan payment and the \$494 annual payment per child are sufficient to support cultural activities, family finding, and genealogy work. ACCOs also face additional costs for administrative tasks, family assessments, and upskilling staff, as well as providing cultural advice and engaging with communities.

The report notes that delays and lack of clear guidance from DCJ have led to financial risks for ACCOs as they prepare for the transition of Aboriginal children. The NSW Audit Office found that DCJ has not provided sufficient direction or funding for NGOs to manage the transition process effectively, and ACCOs have had to bear significant financial risks.

The report concludes that inadequate governance, oversight, and lack of guidelines from DCJ add to the administrative burdens for ACCOs and non-government providers. The bulk funding model and absence of establishment funds for new ACCOs further exacerbate these challenges.

In its Draft Report, IPART will include recommendations on reflecting the costs of providing culturally appropriate care for Aboriginal children, analyzing transition costs, and considering how to incentivise non-ACCO providers to facilitate the transfer. Stakeholders are invited to comment on these issues.

Next steps

Draft report - publish February 2025 Public Hearing (draft report) - March 2025 Final report - May 2025

Building a sustainable Aboriginal and Torres Strait Islander child and family sector workforce

What is happening nationally under Safe & Supported?

Alira Tufui, Director Sector Operations, AbSec Dr. Paul Gray, Jumbunna Institute for Indigenous Education and Research

The Safe and Supported initiative aims to reduce the over-representation of Aboriginal and Torres Strait Islander children and young people in the child protection system. A key aspect of this initiative is the Partnership Agreement, which formalises shared decision-making between all levels of government and an Aboriginal and Torres Strait Islander Leadership Group, Alira Tufui and Dr. Paul Gray presented this session as representatives of the Leadership Group, to shed light on the work which is being done in this space. This group holds equal decision-making authority to governments and comprises representatives from each state and territory, Children's Commissioners, and independent experts.

The agreement signifies a shift from advocacy to active participation in improving outcomes for Aboriginal and Torres Strait Islander children, young people and families. It empowers Aboriginal and Torres Strait Islander people to lead change in their communities, supported by appropriate funding, resources, and autonomy.

Several key actions are being undertaken as part of Safe and Supported:

- Establishment of a National Commissioner for Aboriginal and Torres Strait Islander Children: This long-advocated-for position will champion and advocate for the rights of these children and hold governments accountable.
- Progressing minimum requirements for Commissioners: This action seeks to strengthen advocacy, engagement, and accountability in all jurisdictions to better protect the rights of Aboriginal and Torres Strait Islander children and young people.
- Delegation of legislative authority: This involves transferring legislative functions and powers related to child protection from state/territory departments to Aboriginal and Torres Strait Islander organisations. A shared definition of delegated authority has been developed, with a Best Practice and Critical elements Framework to follow.
- Developing National Standards for Active Efforts to implement the ATSICPP: The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) aims to reduce over-representation in the child protection system. Active efforts refer to the purposeful and timely application of the ATSICPP.
- Developing Monitoring and Evaluation Strategies: These strategies, currently under development, will ensure accountability and transparency in monitoring progress towards achieving Safe and Supported objectives. Indicator Frameworks are also being developed to measure the long-term outcomes of the initiative.

The Safe and Supported initiative represents a significant step towards transforming how governments work with Aboriginal and Torres Strait Islander communities to improve outcomes for their children and families.

Where to From Here?

AbSec will continue to listen to the voices of our ACCO sector, our families and communities to create spaces that support the rights and aspirations of our children and young people. We thank all of the sector and community who attended and contributed to the important conversations had at the Wolli Creek Sector Forum over the two days.

We listened and heard the urgency for place-based reform and holistic funding models for ACCOs and will continue our collective work towards transforming the sector. We hope that this report adds value by collecting the voices of our sector and community to support the growth of our ACCO sector and work towards reducing the growing number of Aboriginal and Torres Strait Islander children and young people in out of home care.