

## Child Protection Commission of Inquiry

### Witness Statement

#### Statement of Natalie Louise Lewis

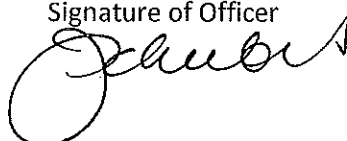
I, Natalie Lewis, of c/o Unit 4a, 44 Station Rd Yeerongpilly, solemnly and sincerely affirm and declare:

1. My name is Natalie Louise Lewis.
2. I am a descendant of the Kamillaroi people of northern New South Wales.
3. I am currently the Chief Executive Officer of the Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited (QATSICPP). QATSICPP is the peak body for the Aboriginal and Torres Strait Islander community controlled child protection sector in Queensland.
4. I was appointed to the role of Chief Executive Officer QATSICPP in February 2012.
5. As the Chief Executive Officer I have responsibility for the overall management of the organisation and for supporting and promoting strategic development and growth. I work closely with and am accountable to the QATSICPP Ltd Board and provide a link between the Board, staff and key stakeholders.
6. My primary responsibility is to lead and manage the operations of the organisation and to provide services to key stakeholders in accordance with the organisation's vision and strategic objectives.
7. I am responsible for ensuring that the organisation meets the obligations set out in our service agreement, (outlined in paragraph 37 of this statement).
8. Prior to my appointment at QATSICPP, I was the Acting Principle Programs Officer, Youth Justice, with a substantive position as Senior Programs Officer

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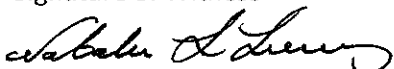
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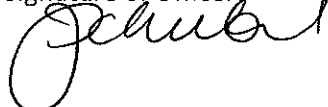
Youth Justice with the Department of Communities for a period of 12 months, from January 2011 until February 2012.

9. From June 2005 until December 2010, I worked in Orange County California for Community Services Programs Inc initially as a Restorative Justice Specialist, but predominantly as a Program Director, overseeing Juvenile Diversion and Gang Prevention Programs across multiple Police jurisdictions.
10. A primary feature of my role was developing and implementing a gang prevention program in collaboration with the Orange County District Attorney's Office, Orange County Sheriffs Department, Orange County Probation and Anaheim Police Department under the (then) Governor Schwarzenegger's 'CalGRIP' initiative.
11. I provided leadership, in partnership with statutory authorities, to effectively reorient local and county wide approaches to gangs and juvenile crime from suppression to prevention. This represented a distinct paradigm shift and a significant amount of effort and expertise was required to change organisational cultures, strengthen individual and organisational capacity and engage and empower communities.
12. The core components of the Gang Reduction Intervention Partnership,(G.R.I.P.) include prevention efforts that focus on community engagement and education of faculty, parents and students on the risks and impacts of gang behaviour; intervention strategies including STRIKE Team and case management of at risk youth and families; and, enforcement efforts that include truancy and curfew sweeps, as well as, prosecution as a consequence for non-compliance.
13. Program staff of Community Service Programs Inc, offer support and resources to students and families and provide the coordination of services among all of the collaborative partners to ensure risk factors are addressed and children are less susceptible to involvement in gangs and offending behaviour as a result of intervention and participation in the GRIP program. Further, my role involved

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developing a rigorous reporting framework, collecting and interpreting outcomes data and ensuring full compliance with the states performance and financial reporting requirements.

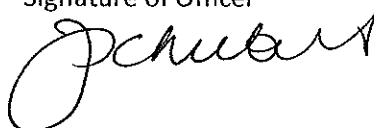
14. G.R.I.P. has proven to be a very successful program, largely by virtue of the commitment and efforts of such a wide range of collaborative partners. During my time with the program, The Orange County Grand Jury formally recognized the Anaheim gang prevention program (Anaheim G.R.I.P.) as one of the most effective gang prevention programs in the State of California and recommended that the G.R.I.P. model be expanded throughout Orange County.
15. Prior to working in the United States, I was employed by the Queensland Government, (Department of Families, Youth and Community Care, Department of Families, now Department of Communities,) between 1997 and 2005, in a range of roles in the field of youth justice.
16. This statement provides an overview of QATSICPP and focuses on proposed change in four main areas to improve outcomes for children and families:
  - I. Increased community control and responsibility for the safety and wellbeing of Aboriginal and Torres Strait Islander children, young people and families
  - II. Establishment of regional Child and Family Wellbeing Programs to provide holistic, culturally affirming services for children, young people and families
  - III. Legislative reform to strengthen the role and responsibilities of Recognised Entities and Aboriginal and Torres Strait Islander Foster and Kinship Agencies
  - IV. Opportunities to build upon existing capacity of the Aboriginal and Torres Strait Islander community controlled child protection sector to provide a broader scope and increased quality of services for children, young people and families

#### Background of the Peak Body

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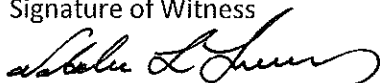


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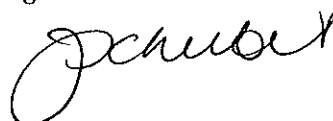


17. The Queensland Aboriginal and Torres Strait Islander Child Protection Peak Body, was originally established as the Queensland Aboriginal and Torres Strait Islander Child Protection Partnership under the auspice of the Queensland Aboriginal and Islander Health Council (QAIHC).
18. A Partnership between QAIHC and the Community Controlled Child Protection Sectors was formalised with the signing of the Queensland Aboriginal and Torres Strait Islander Child Protection Partnership agreement in Hervey Bay in May 2004.
19. QAIHC and the Community Controlled Child Protection Sector re-affirmed their commitment in 2006 to develop and operationalise an independent Child Protection Peak Body by December 2008.
20. The Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited (QATSICCP Limited) became registered as a Public Company limited by Guarantee not having a share capital, with gift deductibility and charity status under the Australian Securities and Investment Commission (ASIC) in August 2008. In January 2009, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited began operating as a stand-alone Peak Body for the community controlled child protection sector in Queensland.
21. QATSICPP membership is comprised of 19 Aboriginal and Torres Strait Islander community controlled member organisations. A table, listing members by location and funded service types is attached and marked "Appendix 1".
22. QATSICPP vision is that all Aboriginal and Torres Strait Islander children and young people are physically, emotionally and spiritually strong, live in a safe, caring and nurturing environment within their own families and communities and are afforded the same life opportunities available to other children and young people to achieve their full potential.

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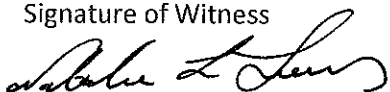
## Governance

23. The Queensland Aboriginal and Torres Strait Islander Child Protection Peak Limited is governed by an elected Regional Board of Directors and operates from a membership base of all of the Aboriginal and Torres Strait Islander community based child protection agencies across Queensland.
24. Our existing Board has significant collective experience in the child protection sector. Individually, they contribute valuable knowledge from a range of cultural experiences and connections and professional backgrounds.
25. The representative nature of the elected board enables consideration of local and regional context at a strategic level.
26. Administration and coordination is undertaken by QATSICPP Limited Secretariat, located in Brisbane.

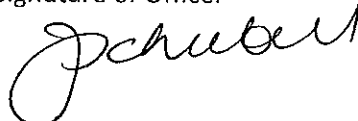
## Organisational Structure

27. Currently, the Peak comprises of the Chief Executive Officer, a part time Senior Policy Officer, Administration Officer and two Member Services Support Officers.
28. Member Support Officer (South) based in Brisbane is employed on a part time basis, and their responsibility is to provide support to member organisations in regions south of central Queensland
29. The Member Support Officer position based in Cairns is full time and provides support to community controlled child protection services from Central Queensland, up to and including the Torres Strait. Both roles are intended to provide customised member support to enhance service capacity, infrastructure, scope and delivery systems. The roles also are responsible for gathering and

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collating information about sector wide issues, identifying innovative or promising practice, representing regional and local issues and trends identified by member organisations and preparing regular reports to inform the development of sector wide strategies to address practice and service delivery issues. The member support positions, along with representative board members are the conduit for regional input and communication.

30. The Senior Policy position is responsible for development and provision of sound evidence based policy and strategic advice and positions that can be utilised to affect legislation, policy , practice to achieve improved service delivery and better outcomes for Aboriginal and Torres Strait Islander children, families and communities.

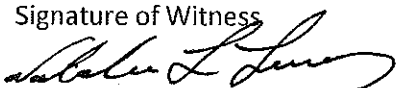
#### **Organisational Role**

31. QATSICPP has four major roles;

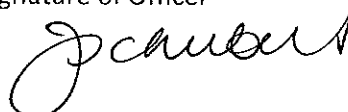
- Obtain sector wide input on government and sector driven reforms that impact Aboriginal and Torres Strait Islander children, young people and families,
- Act as partner and advisor to government regarding potentially sensitive, contentious and challenging issues regarding Aboriginal and Torres Strait Islander child protection,
- Work with member organisations to strengthen service delivery to Aboriginal and Torres Strait Islander children, young people and families,
- Strengthen and maintain relationships between Government and the Queensland Aboriginal and Torres Strait Islander child protection sector.

32. The work of the Child Protection Peak in partnership with government and non-government agencies is critical in ensuring that local, regional, and state-wide planning and implementation of strategic policies, programs and practice initiatives result in sustainable and effective child protection services for Aboriginal and Torres Strait Islander children, young people and families.

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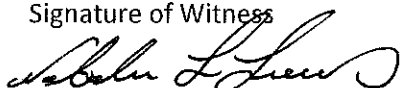
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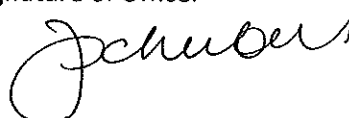
33. QATSICPP, informed by members at both an operational and strategic level, ensures that the Department has the opportunity to make decisions with consideration to the articulated positions of the Aboriginal and Torres Strait Islander child protection sector.
34. When compared with other providers in child protection, our staff and members are distinct by their inherent knowledge and capability to understand and respect Aboriginal and Torres Strait Islander cultural protocols, values, family relationships, and the rich inter-connectedness of kin and country. Our shared understanding, experiences and principles of working with Aboriginal and Torres Strait Islander communities allows us to recognize and appreciate the diversity within Aboriginal and Torres Strait Islander cultures and gives us a solid framework to assist in the development and implementation of culturally affirming services for Aboriginal and Torres Strait Islander children, young people and families. An organisational culture that is conducive to culturally affirming practice is a significant feature of QATSICPP and other community controlled child protection organisations.
35. QATSICPP provides mechanism for free flowing two way communication between the Government and the community controlled child protection sector. QATSICPP fosters trust and credibility in relationships which is critical to:
- Gathering evidence for policy development,
  - Assisting to shape Government proposals to maximize input and uptake for Aboriginal and Torres Strait Islander children, families and organizations,
  - Communicate in culturally affirming ways, the priorities for Government and challenges faced by the sector,
  - Lead change and provide guidance in implementing reforms that impact on service delivery and the system.

**Funding and current limitations of QATSICPP:**

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36. QATSICPP was previously funded \$659,511 per annum, however, due to recent reduction in funding as a result of government budget cuts, this has been reduced to \$547,394 , (a total reduction of 17%) as of 1<sup>st</sup> January 2013.

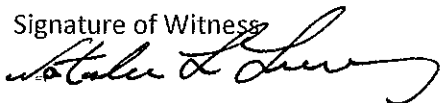
37. The Department of Communities funds the Peak Body for Aboriginal and Torres Strait Islander child protection services to:

- Demonstrate leadership in the Queensland Aboriginal and Torres Strait Islander child protection sector. Provide support and opportunities to, and advocacy on behalf of, funded Aboriginal and Torres Strait Islander child protection services to participate in activities, including professional development that contributes to improved policies, service delivery and professional practice within the child protection sector;
- Deliver service development support to services funded by the Department that deliver child protection services to Aboriginal and Torres Strait Islander children and young people, with a primary focus on community managed organisations who are members of QATSICPP but also offering support to non-member community managed organisations. In addition, offer support where requested to child safety funded mainstream organisations who work with significant numbers of Aboriginal and Torres Strait Islander clients;
- Actively participate in child protection initiatives that impact on Aboriginal and Torres Strait Islander children and young people, by providing relevant cultural information and advice;
- Provide high level advice to the department and other government and community agencies about relevant legislation, policy, program, services and professional practice to achieve improved outcomes for Aboriginal and Torres Strait Islander children, young people and their families;
- Work collaboratively in partnership with the Department, other government departments, agencies and key stakeholders, to build capacity in Aboriginal and Torres Strait Islander child protection service delivery systems.<sup>1</sup>

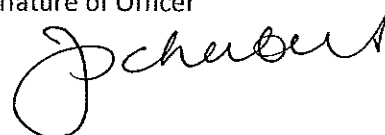
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<sup>1</sup> Service Agreement (Part C) Between Department of Communities and QATSICPP, 2011 - 2013

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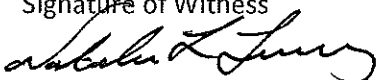
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38. During my time in the CEO role, the Peak has consistently met its performance targets and milestones outlined in our service agreement. However, within existing funding it is challenging to meet our own aspirations.
39. QATSICPP has experienced challenges, particularly in the provision of sector development activities and providing the level of visibility and participation within each region that I believe is required to achieve maximum results. Extended vacancies in the CEO role and Member Services Support (South) role has contributed significantly to this problem.
40. The difficulties experienced with regard to recruitment are not unique to QATSICPP. Member organisations, and indeed our mainstream non government partners, typically experience the same challenges. Any vacancy, within QATSICPP or member organisations, particularly for extended periods, significantly and directly impacts service delivery and the ability to meet prescribed targets.
41. Human resource activities are a specialist function, but resourcing for organisations such as QATSICPP and its members, does not accommodate a dedicated position to attract, recruit and retain staff. QATSICPP, in acknowledging that this is a significant challenge within the sector, proposes that a dedicated unit be established and resourced, to enable ongoing workforce development for the entire sector. This unit could be engaged by member organisations as required to manage recruitment process and other specialist human resource functions. including induction training and ongoing professional development planning and processes.
42. All QATSICPP positions are now filled and the staffing structure is stable and well positioned to achieve outcomes in the area of sector development. The visibility factor remains somewhat compromised by the level of resourcing. The budget allocated for travel constrains the amount of face time with member services,

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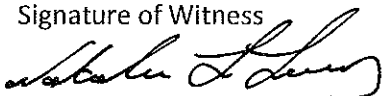
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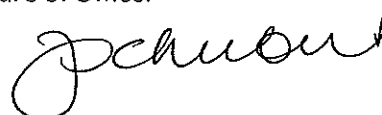
however staff are utilising other available means to maintain an appropriate level of contact.

43. Having only two staff, one being part time, to cover the entire State clearly compounds the issue. This has at times proved problematic when engagement is escalated at a point of crisis, breeding reactivity to concerns or prevailing issues. QATSICPP is committed to reorienting the approach to ensure planned and sustained engagement with member organisations. The potential for reforms, which would provide regionally based positions would offer a clear solution regarding visibility and allow focussed participation to maximise sector development functions.
44. QATSICPP membership is voluntary, as is the level of engagement of organisations with QATSICPP staff. While this is an important feature and strength of the relationship between members and a Peak body, it has at times, inhibited QATSICPP's capacity to influence service delivery reform. A number of organisations that have readily engaged QATSICPP have derived significant benefit from the organisations support and expertise in terms of practice and organisational improvements.
45. When I commenced in the role, I became aware that the relationship between QATSICPP and the Department had at times been characterised as challenging, even adversarial. The development of respectful, professional working relationships is fundamental to effective partnerships and this has been a clear priority for our organisation.
46. QATSICPP has demonstrated a commitment to being solutions oriented and has actively partnered with member organisations and the Department to enhance service delivery within the sector. QATSICPP has demonstrated leadership and active partnership to drive practice improvement initiatives that address identified needs within not only the community controlled sector, but the Department and mainstream non government sector. The Regional Reconnection projects are a clear example of this.

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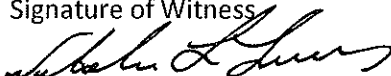
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## Need for Reform

47. The significant issues facing the system have been well canvassed before the Inquiry. The current strategies for dealing with Aboriginal and Torres Strait Islander families and their children 'at risk' are manifestly not working. A major shift in policy is absolutely needed.
48. Since the CMC Inquiry, an increasingly risk averse system has evolved. This has resulted in more coercive intervention in Aboriginal and Torres Strait Islander family life and significantly contributed to the increasingly disproportionate representation of our children and young people in the statutory system. Further, Aboriginal and Torres Strait Islander children continue to remain in the system for longer periods, with more placements provided by non-Indigenous carers and a profound lack of evidence of improved safety or well being for Indigenous children and young people.
49. It is QATSI CPP's position that in order to reduce the disproportionate representation of Aboriginal and Torres Strait Islander children and young people in the statutory child protection system, the following issues should be addressed as a priority:
- Lack of prevention and early intervention services,
  - Limited number, scale or scope of Aboriginal and Torres Strait Islander support services to meet needs,
  - Lack of service integration as a result of "silo" funding , and lack of coordination or connectivity between service types resulting in fragmented service system,
  - Over emphasis on statutory intervention and removal of children,
  - Failure to place children and young people in accordance with the Child Placement Principle.

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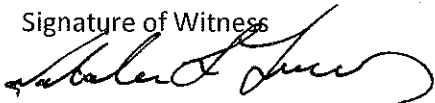


## Proposed Reforms

### Regionally Based Service Delivery - Child and Family Wellbeing Program

50. Culturally inclusive services must be a baseline and culturally operated services a priority for the delivery of integrated support and coordinated care services for Aboriginal and Torres Strait Islander children, young people, families and communities.
51. It is proposed that the Child and Family Well being program described in QATSICPPS submission will integrate fully all aspects of the existing community controlled service system as well as prevention and early intervention. Reorientation of the system to provide holistic services to all families is imperative.
52. QATSICPP supports the holistic and preventative approach to child protection endorsed by the National Framework for Protecting Australia's Children 2009-2020. Significant action is required to implement this effectively for Aboriginal and Torres Strait Islander children and to address their overrepresentation in the child protection system.
53. QATSICPP's proposed regional service model would provide a non-stigmatised single entry point for Aboriginal and Torres Strait Islander children and families who need support and assistance to restore and sustain wellbeing. The model would place the child, family and their community at the centre of the program, instead of what currently exists which is traditional, separate and distinct service delivery where families access to the service they require and mobility between services is compromised.
54. The Regional "hub" will be the operational centre providing the following core functions;
- Primary prevention activities that include community awareness and education activities, community engagement strategies to promote collective

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responsibility to safety of children in our communities, assist in promoting, linking and 'normalising' access to universal services,

- Intake and assessments to ensure families can access non stigmatised services at the time they are needed;
- Case coordination across the continuum of services offered internally by the Child and Family Wellbeing Program, which aim to improve family functioning and child nurturance including, for example, home visiting, in home practical support and mentoring, counselling, parenting education, support groups, therapeutic services for children and parents ;
- Manage specific delegated child protection functions such as that of the Recognised Entity;
- Out of home care coordination unit including foster and kinship care services, family preservation and reunification services including wraparound and intensive family support services, safe houses; and
- Co-ordinate integrated service delivery with other sectors and providers of specialist services.

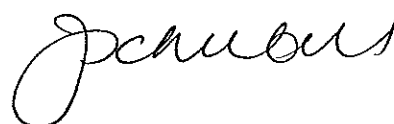
55. Significant efficiencies and service delivery benefits can be achieved through regionalisation of services for Aboriginal and Torres Strait Islander children, families and communities. Regional hubs, as described in QATSICPP submission to the Inquiry, allow development of a robust infrastructure and afford the opportunity to divert a greater proportion of corporate organisational expenses into direct service delivery. In contrast, siloed investment into discrete service types across multiple organisations require a larger proportion of resources to fund administrative infrastructure to ensure services can comply with administrative and governance requirements.

56. As demonstrated by numerous mainstream organisations within the NGO sector, and a number of existing Aboriginal and Torres Strait Islander community controlled organisations, the economic efficiencies achieved through economies of scale as a result of funding for multiple services and diverse service types

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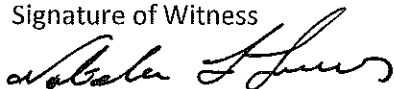
allows centralisation of corporate functions such as executive management, administration, back office and payroll. Other benefits such as stabilisation and the opportunity to assert a positive organisational culture, enhance visibility and community participation, promote commitment to shared goals across disciplines and service types, diversification of skills and nurture leadership, opportunities for service integration and enhanced responsiveness can also be achieved.

57. There is an enhanced opportunity to promote positive outcomes for clients through organisations being able to mobilise supports and capitalise on the clear synergies across sectors. In the community controlled child protection sector this is particularly evident where organisations are closely aligned with Aboriginal and Torres Strait Islander controlled health or housing services.

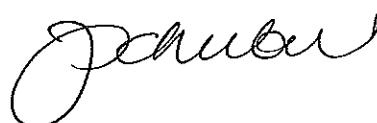
58. It is important to acknowledge that there is considerable congruence in the rationale for reforms proposed by QATSICPP and the Aboriginal and Torres Strait Islander Legal Service (ATSILS). Whilst a Regional child and family well being service is proposed by both organisations, the significant point of difference is that ATSILS advocate for a stand alone state wide service provider while QATSICPP firmly believes that identifying an existing service provider, or partnership of service providers as a lead agency in each region is preferable. QATSICPP approach enables the following additional benefits;

- ability to maintain local context,
- commitment, motivation and personal investment due to connectedness to community,
- opportunity to acknowledge and build upon local expertise,
- enable communities to take ownership,
- build upon existing partnerships within communities,
- recognising the contributions and knowledge born of local experience and,
- Acknowledging and valuing the genesis and history of local organisations.

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## QATSICPP – State Body

59. QATSICPP is committed to being a partner for change to achieve the necessary reforms. Clearly, the desired outcomes are to enhance the quality and scope of services and ensure accessibility to those services by families when they are needed.
60. A commitment to true collaboration can be demonstrated through the development of a framework for self-determination, establishing and observing meaningful consultation protocols, identifying clear roles and responsibilities and implementing strategies for increasing Aboriginal and Torres Strait Islander participation in child protection matters.
61. QATSICPP acknowledges that partnership with local communities and stakeholders is fundamental in the design and implementation of service models if they are to meet families' needs, enhance families' capacities to keep children safe, and to build organisational capacity to implement system change to meet the needs of families.
62. QATSICPP proposes utilising a community development approach to engineer responsive service models in each region and the capacity to set and support organisations to achieve state wide practice standards, the Peak will be able to promote proficiency and consistency in service delivery, and, above all, improved safety, permanency, and well-being of Aboriginal and Torres Strait Islander children and families in Queensland.
63. The initial phase of implementing reforms would involve regional service profiling to identify whether each regions existing service array has the capacity to respond to the identified needs of children and families within the community. It will be important to first examine the existing resource investment (local, state and federal), connectivity or integration, service capacity, infrastructure, responsivity and effectiveness of services in each region to be able to identify

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service gaps. This assessment will inform development of distinct regional models and determine the level of investment required. This process should be undertaken by QATSICPP in partnership with the Department, and appropriately engaging other stakeholders, such as the Department of Aboriginal and Torres Strait Islander & Multicultural Affairs.

64. Beyond the initial processes described, under the proposed model QATSICPP would provide resources and support aimed at building upon existing organisational capacity to continually improve the quality, effectiveness and sustainability of services for children, young people and families.

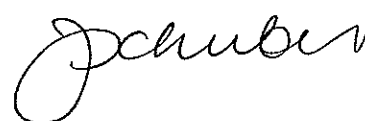
65. QATSICPP would continue as a member-based Peak, providing the following services in the implementation and ongoing support of the proposed regional Child and Family Wellbeing Programs:

- enhance individual, agency and community capacity to effectively implement and sustain systemic change;
- oversee and support the implementation and adherence to a set of state wide standards for child and family well being services;
- actively identify and facilitate linkages between service providers and embed processes and or protocols to sustain an integrated approach to service delivery for children and families;
- contribute knowledge about effective practice in child and family well being,
- support intensive implementation projects,
- develop and co-ordinate capacity building plans across the sector that are specific to the identified organisational needs, through a dedicated unit, co-ordinate ongoing workforce development activities and provide specific human resource functions to assist organisations to determine required skill profiles for specific roles, recruit and retain suitable staff and offer advice and support regarding industrial relations matters and processes such as terminations and redundancies.

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66. In addition to the sector development function described above, QATSICPP propose that the functions, described below, would continue to be provided to the Department;

- Developing state-wide frameworks and practice standards, and support the implementation thereof,
- Systems advocacy in the context of practice, program and policy development,
- Applied research – specifically facilitating the development of a localised evidence base for Aboriginal and Torres Strait Islander child protection through strengthening partnerships with Universities,
- Workforce development and capacity building, particularly with regard to cultural competency of Department and mainstream NGO staff,
- National sector liaison and representation.

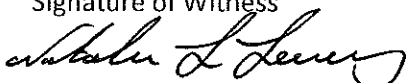
#### **QATSICPP - Subsidiary Company**

##### Role

67. QATSICPP proposes to establish an incorporated subsidiary company which could manage the resource allocation process for the *Child and Family Wellbeing Program* on an independent, transparent and accountable basis. As the single point of funding for community controlled child safety and wellbeing services, the state-wide funding body is the accountable organisation for negotiating achievable outputs and outcomes directly with services funded, allocating funding to the regions and managing contracts.

68. The Subsidiary Company would be accountable to Government, tabling an annual report through the Minister, in parliament each year. The Subsidiary Company would be limited by guarantee and would be regulated by the Australian Securities and Investments Commission (ASIC).

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69. The core *Objects* of the company would be:

- a. Undertake funding processes including management of applications, assessments and contracts;
- b. to receive and analyse standard reports from Regional Service Hubs addressing compliance and performance obligations; and
- c. to publish reports on the performance of the *Children and Family Wellbeing Program*.

#### Governance

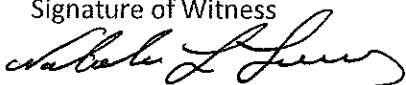
70. QATSICPP believes that this company structure with the proposed composition of an independent, skills based Board of Directors would allay any concerns that the Government and/or the Department might have in transitioning the resource allocation process out of the public service and into a normal business environment. Specifically it should be obvious that risks regarding probity and concerns about nepotism, family dominance, lack of expertise, or lack of governance competence would be readily addressed through this approach.

71. All prospective Directors of the proposed company would be required to be independent of any interest in any service provider under the *Corporations Act (Cth) 2001*. Their analyses and decisions will not be influenced by considerations of career, position or authority.

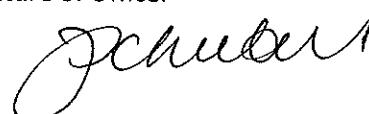
#### **Proposed Legislative Reform**

72. QATSICPP proposes that the Child Protection Act 1999 should be amended to delegate statutory authority to designated Aboriginal and Torres Strait Islander organisations, effectively facilitating the transfer of responsibilities for the following:

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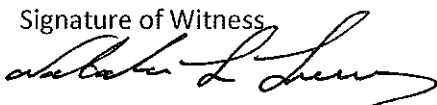


- Recognised Entity to provide the authority of the court with independent and professional child protection advice from an Aboriginal or Torres Strait Islander professional,
- Recognised Entity to facilitate family group conferencing,
- Recognised Entity to undertake specific case work activities for Interventions with Parental Agreement and temporary/short term orders to prioritise family preservation and empowered participation in decision making,
- Recognised Entity to undertake comprehensive mapping of family and community connections, in conjunction with Indigenous Foster and Kinship Agencies, to identify potential placement options during intake and assessment phase when it is determined that removal of a child is likely,
- Recognised Entity to assume case work responsibilities for cultural preservation, including development and implementation of cultural support plans, and for the coordination of family contact and participation in activities to maintain connections with kin, culture and country for children on temporary or short term orders.

73. The role of Aboriginal and Torres Strait Islander Foster and Kinship Agencies in achieving safety, permanency, and well-being for Aboriginal and Torres Strait Islander children and young people could be further enhanced by legislative amendments, or policy changes that enable the following;

- Working with Recognised Entity to facilitate process of identification of family/kin placement options when it is determined that a child requires an out of home placement,
- Identification of potential carers for children in existing out of home care placements that do not conform to the Aboriginal and Torres Strait Islander Child Placement Principle, through delegations to undertake case management functions such as eco-mapping.
- Aboriginal and Torres Strait Islander Foster and Kinship Agencies to utilise alternate assessment tools such as the Winangay tool, to ensure that the process of assessment is culturally affirming and effective in eliciting the right

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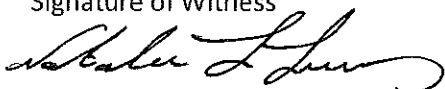
type of information to make decisions regarding carer suitability and ability to meet the needs of an Aboriginal child.

- Aboriginal and Torres Strait Islander Foster and Kinship Agencies, and other NGO Foster and Kinship Agencies to obtain accreditation for the approval of carers. Aboriginal and Torres Strait Islander Foster and Kinship Agencies and other non-government organisations (NGO) to assume a greater role in case management for children and young people on long term orders including case work responsibilities for cultural preservation, and for the coordination and facilitation of family contact. Case management responsibility would also include planning and support for young people transitioning from care.

74. It has been clearly documented in research and in evidence presented at this Inquiry that the practice decisions made with regard to the well being of Aboriginal and Torres Strait Islander children and young people should be made by Aboriginal and Torres Strait Islander professionals, who understand and value the importance of inclusive decision making and undertake their roles in a way that empowers families to identify solutions and maximises their participation. Where participation by Aboriginal and Torres Strait Islander staff is limited by statute, defined roles, or left to the discretion of individual practitioners, the potential benefit is often compromised.

75. QATSICPP advocates for a child protection system that is attuned and responsive to the specific needs of Aboriginal and Torres Strait Islander children and their families and is consistent with the UN Declaration on the Rights of Indigenous Peoples. In doing so, QATSICPP prioritises self-determination in child protection for Aboriginal and Torres Strait Islander peoples as key to ensuring better support, better decisions and better outcomes for our children and families. The priority for all Aboriginal and Torres Strait Islander organisations in child protection is that all our children remain safely with family, are reunified where they have been removed, and stay connected to their Aboriginal or Torres Strait Islander culture and community. The opportunity for this to be realised exists within the community controlled sector.

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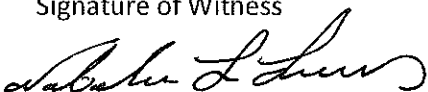
### **Dedicated section of the Child Protection Act**

76. QATSICPP considers that there is merit in the suggestion of drafting a dedicated section of the Child Protection Act to contain all provisions pertaining to Aboriginal and Torres Strait Islander people. Consolidation of provisions such as the Child Placement Principle and clearly defined delegations and obligations for Departmental staff and Aboriginal and Torres Strait Islander professionals and organisations may provide emphasis and clarity and promote greater compliance and accountability.
77. Recognising that the transition from the current level of delegation towards full delegation will take time, the intent and ability for future transfer of greater authority could be reflected within a dedicated section of the Act and apply to all provisions within such a section at the discretion of the Chief Executive.

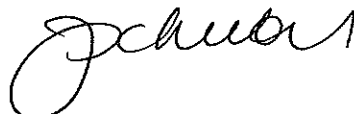
### **Capacity of the Aboriginal and Torres Strait Islander Community Controlled Sector**

78. Existing capacity within the Aboriginal and Torres Strait Islander Community Controlled sector must be acknowledged and built upon. It is important to recognise the Aboriginal and Torres Strait Islander community controlled sector is absolutely best placed to respond to the needs of Aboriginal and Torres Strait Islander children and families. Within the community controlled sector there are many notable examples of innovation and clear evidence of good practice resulting in positive outcomes for children and families.
79. Historically and currently, discussions or statements regarding “capacity” of the Aboriginal and Torres Strait Islander child protection sector are often one dimensional and misleading. Typified by implied deficit, or inherent lack of skill or ability to undertake the functions required, generalised statements have

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diminished corporate will and limited the opportunity to build upon the solid foundation that exists within the sector.

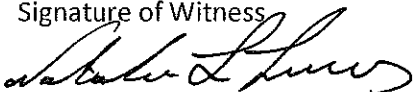
80. This has culminated in an attitude that suggests the sector needs to be "fixed" and placed an emphasis on trouble shooting, guided by the data produced on CSIS. The current Departmental approach to the measuring of outputs (in terms of numbers and hours) as opposed to outcomes for families, limits the evaluation of the actual effectiveness of services and skews considerations of capacity towards a target number orientation. The firm control exercised by the Department with regard to model development, restriction of referral pathways and service delivery activities has further constrained the development of Aboriginal and Torres Strait Islander Family Support Services.

81. The perceived lack of existing capacity within Aboriginal community controlled services is exacerbated by comparisons to the Referral for Active Intervention and Helping Out Families initiatives. I would suggest that these comparisons should be considered in the appropriate context and consider the level of success of mainstream service providers in engaging with and achieving demonstrable outcomes for Indigenous clients.

82. I am aware that a more comprehensive review of the Aboriginal and Torres Strait Islander Family Support Services is to be undertaken by the Department over the next quarter. QATSICPP has been actively involved in assisting the Department to develop an appropriate methodology and ensure that services are engaged in a manner that maximises their participation and input. This demonstrates a commitment to true collaboration.

83. QATSICPP acknowledges the Department's recent commitment to undertake a literature review of 'Indigenous Self Governance' models as a priority project under the 2012-2013 'Blueprint Action Plan' to address the over representation of Aboriginal and Torres Strait Islander children and young people in the

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statutory child protection system. The intent of the literature review is to identify self-government models within other countries and jurisdictions, analyse the existing evidence of the effectiveness of the models and consider if aspects of these models could be potentially incorporated into the Queensland child protection system.

84. QATSICPP suggests that there is a need for capacity strengthening initiatives across the entire non Government and Government sector, Aboriginal and Torres Strait Islander services included. The complexity of needs and the diversity of the experiences of families that our services work with demand a broad range of skills and equitable access to quality support services at the time and intensity required. The Inquiry and any recommended reform offers a unique opportunity to capitalise on current proficient governance, management, leadership and frontline service delivery transitioning this important expertise into an enhanced organisational or service standard.

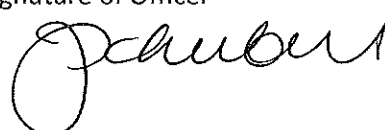
85. To achieve the sector reforms proposed by QATSICPP there is clearly a need for a significant increase in resources and a sustained commitment to building upon the existing capacity of the Aboriginal and Torres Strait Islander workforce, organisations and communities. Actions and transitional arrangements regarding out of home care in NSW have illustrated how this can be done

86. ABSEC, the peak body for Aboriginal child protection in NSW have been instrumental in designing and implementing the reforms recommended in the Wood Inquiry with regard to self determination, specifically the transition of out of home care to the Aboriginal community controlled sector. The NSW Government has committed to all placements of Aboriginal children in out of home care being supported and case managed by Aboriginal organisations in the space of 10 years.

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87. That commitment has become more than an aspirational goal. Supported by corporate will, and undertaken in meaningful partnership with Aboriginal organisations, the process is proving successful. Aboriginal organisations have clearly demonstrated that they are willing and absolutely able to reclaim the role.

88. ABSEC recognised, as QATSICPP does, that to successfully take on the full range of delegation and responsibilities, existing capacity needs to first be acknowledged and where required, further nurtured and built upon to provide optimal services for Aboriginal and Torres Strait Islander children and families. 'Capacity building to deliver culturally appropriate children's services involves three phases – building capacity of the workforce, of the agency and of the community. With proper resourcing, this outcome is achievable.'<sup>2</sup> It is proposed that a similar process could be undertaken by QATSICPP with the appropriate resourcing. Clearly, this is not something that could be achieved within our existing level of funding.

#### **Strategies to build upon existing capacity**

89. It is imperative that we recognise the substantial growth proposed by our organisation and others will present challenges for the sector and will require investment and support from QATSICPP, the Department and other partners. The existing level of capacity varies across organisations and regions and requires focussed support to optimise successful transition. The capacity strengthening process, including the pace at which reforms are implemented, must be tailored to individual agency and community needs and a range of approaches need to be accessible.

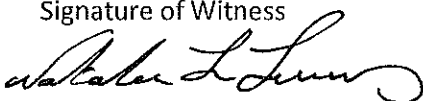
#### **State wide standards**

90. The purpose of QATSICPP's proposal to implement state wide standards is to promote consistently high quality service delivery to children, youth and their

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<sup>2</sup> Bill Pritchard, CEO Aboriginal Child, Family and Community Care State Secretariat (AbSec) –NSW QATSICPP National Executive 2011

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families receiving child and family wellbeing services across the State. The new standards will be the mandatory framework within which these services will be delivered. They establish a minimum level of performance for direct service, support and management staff, and create a norm that reflects a desired level of achievement.

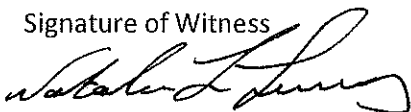
91. The standards will provide the benchmark for demonstrating the required level of performance within an overall accountability framework for child protection, presently articulated through the Departments Human Services Quality Framework.

### **Workforce Development**

92. Workforce solutions both short term and medium term that match service provider capability to the deliverables involved in case management require specific focus. We must acknowledge the need for a balanced, multi disciplinary workforce. We need to create pathways beyond the attainment of Certificate IV level qualifications and vocational training options for our sector to build upon the existing capacity of service providers to provide assessment and therapeutic interventions for families with complex needs. It is important that, as a sector, we ensure that staff have the opportunity and are supported to progress to tertiary qualifications, to open up opportunities for advancement or diversification of skills, increase individual and organisational capabilities and ensure that key professional roles are able to be filled, ultimately, by Aboriginal and Torres Strait Islander staff.

93. Whilst there is a clear focus to professionalise certain components of the model proposed, I must emphasise that the value of experience, practical knowledge and the dimension that is brought to this type of work by local, lived experiences must be maintained. Failure to acknowledge and value the richness brought to an organisation by personal experiences and undertake a drastic shift to a workforce comprised of mandatory university qualifications would deplete capacity to deliver the best possible service to our families.

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94. The community controlled child protection sector is comprised of many highly skilled, effective and passionate people that deliver successful, culturally affirming services to our most vulnerable families. The multi-disciplinary approach needs to include recognition of the unquantifiable skills brought by Aboriginal and Torres Strait Islander people. It is our history, our connection to culture and our collective, lived experience that guide us in our work with our own people.

95. Recruitment, induction and ongoing sector specific training, as well as sustainable management support and competitive remuneration, are imperative to promote staff retention and the development of a resilient and sustainable service sector.

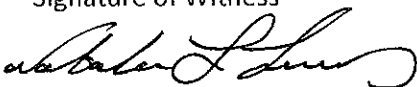
#### **Professional Supervision**

96. Professional development support and supervision may be further enhanced through the appointment of Senior Practitioners regionally or through the Peak undertaking a dedicated practice support role. This would facilitate an opportunity to discuss complex cases, provide advice, coordinate and deliver, for example, targeted practice skills workshops and reinforce a professional practice culture that encourages case discussions, practice innovation and reflection.

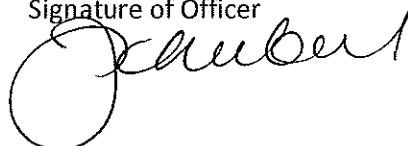
97. A primary goal would be to develop, implement and maintain a model of professional supervision that is outcome-focused, family-centred, solution-focused, data-informed and supportive of an organisational climate that fosters resilience in both staff and families and a system of supports for practice that can be used according to the needs and capabilities of each service.

98. Over the next 2 years it is projected that QATSICPP, in partnership with regional community controlled service providers would be able to develop a system of supports for staff in Child and Family Wellbeing programs at the leadership, operational and administrative levels in order to improve the stability and

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effectiveness of the workforce and attain state wide practice standards in the delivery of services.

### Resource Implications

99. Currently the grant funding allocation for community controlled child protection services is as follows:

Aboriginal and Torres Strait Islander Family Support Services: Eleven service providers, totalling approximately \$9.42 million with a client target of 2,624.

Intensive Family Support Services: 4 service providers (although Kummara service 3 distinct areas) totalling, \$1,894,496, with a client target of 288.

Recognised Entity: 12 service providers, totalling \$10,129,336.

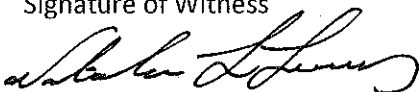
Foster and Kinship Care Services: 10 service providers, totalling \$4,783,303

Queensland Aboriginal and Torres Strait Islander Child Protection Peak: \$547,394

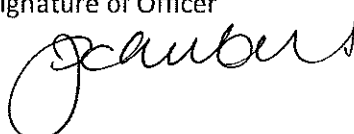
100. QATSI CPP suggests that in order to implement the reforms proposed, a significant investment of resources is required. To achieve optimal capacity and to ensure parity of investment with the mainstream NGO sector an investment proportionate to the rate of over representation would be required. As has been clearly articulated throughout the Inquiry, that rate is currently estimated to be 38.9%.

101. This could be achieved through reinvestment of funds from tertiary activities to prevention and early intervention and the transfer of funds from CSSCs and mainstream organisations.

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102. The principles of justice reinvestment suggest that investment in prevention, early intervention and secondary services is a cost effective approach to minimise future expenditure in the tertiary child protection system and may alleviate the high costs incurred by the statutory child protection system, and the juvenile and adult criminal justice systems as well as other public systems that respond to the well documented poor outcomes of many children in long term statutory care.

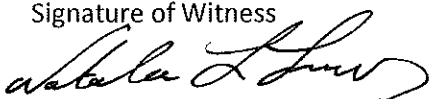
103. Through transferring delegation to the community controlled sector, the budgets for those specific functions that currently sit within the statutory body would essentially transfer with it, not requiring new sources of funds to be identified.

104. Non Indigenous providers that are funded to provide specialist services to Aboriginal and Torres Strait Islander children, young people and families could, as has successfully occurred in NSW, be encouraged to partner with Aboriginal organisations to transition service provision responsibility and the associated resource allocation over time.

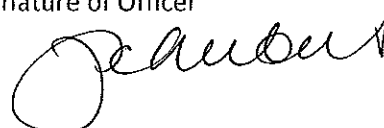
105. In looking at processes such as the transition of out of home care that is occurring in NSW, and the successful implementation of the federal Communities for Children initiatives, it is clear that capacity building and coordination to achieve service integration are distinct functions that require appropriate investment. Accordingly, the NSW Government has funded ABSEC approximately 2 million dollars over 2 years, specifically to staff a transition team, with dedicated positions for capacity building, accreditation and practice support. It is anticipated that a similar investment would be required in Queensland in order for QATSICPP to undertake this role effectively.

106. Further investment to sustain QATSICPP's regional presence and ongoing functions of sector development and practice support would clearly be required. Given that the Commission has been asked to provide a 10 year road map,

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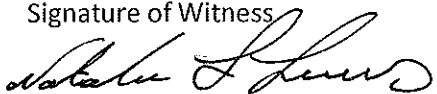


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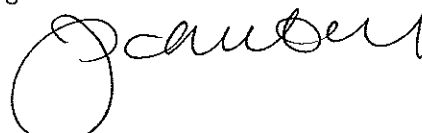


QATSICPP suggests that the allocation for funding be sustained over the same period. Recognising that significant reforms will require an enduring investment, partners charged with leading and implementing reforms should have the commitment of Government to provide resources for the level and duration required to see things through.

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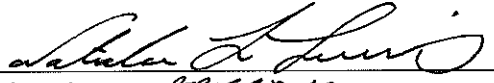
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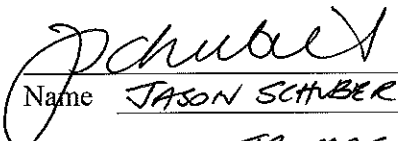
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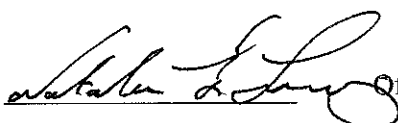
**Declaration**

This written statement by me dated 2/1/13 and contained in the pages numbered 1 to 30 is true and correct to the best of my knowledge and belief.

 Signature  
Signed at BRISBANE this 2ND day of JANUARY 20 13

Witnessed:

 Signature  
Name JASON SCHUBERT Rank \_\_\_\_\_ Reg. No. \_\_\_\_\_  
JP MAG CT  
67291

Witness signature:  Officer signature: 