

# REVIEWING IMPLEMENTATION OF THE ABORIGINAL AND TORRES STRAIT ISLANDER CHILD PLACEMENT PRINCIPLE WESTERN AUSTRALIA 2025

## Acknowledgement of Country

SNAICC shows respect by acknowledging the Traditional Custodians of Country throughout Australia and their continuing connections to land, waters and communities. SNAICC head office is located on the lands of the Wurundjeri People of the Kulin Nation, and SNAICC operates nationally. SNAICC acknowledges Traditional Owners of all lands and waters across this continent and pays respects to Elders past and present. We acknowledge and respect their continued connection to Country, care for community and practice of culture for generations uncounted.

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## Acronyms and abbreviations

| Acronym                         | Full name of acronym   |
|---------------------------------|--|
| ACCO                            | Aboriginal and Torres Strait Islander community-controlled organisation        |
| AFLDM                           | Aboriginal Family-Led Decision Making  |
| (the) Child Placement Principle | Aboriginal and Torres Strait Islander Child Placement Principle                |
| (the) Department                | Western Australian Department of Communities                                   |
| EIFS Strategy                   | Earlier Intervention and Family Support Strategy                               |
| FDSV                            | Family, Domestic and Sexual Violence   |
| FGC                             | Family Group Conferencing  |
| FSSs                            | Family Support Services  |
| GCO                             | guardianship custody order   |
| IFSSs                           | Intensive Family Support Services  |
| (the) National Agreement        | National Agreement on Closing the Gap  |
| OOHC                            | out-of-home care   |
| RoGS                            | Report on Government Services  |
| Safe and Supported              | Safe and Supported: the National Framework For Protecting Australia's Children |
| SNAICC                          | SNAICC – National Voice for our Children                                       |
| TPPRO                           | third-party parental responsibility order                                      |
| WA                              | Western Australia / Western Australian   |

## Executive Summary

This report reviews the progress of the Western Australian (WA) Government, primarily through the Department of Communities (the Department), towards implementing the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle (the Child Placement Principle).<sup>1</sup> Recent changes in law, policy and practice are examined, with a focus on the five interrelated elements of the Child Placement Principle: *Prevention, Partnership, Placement, Participation and Connection*.

In 2024, Aboriginal and Torres Strait Islander<sup>2</sup> children and young people made up 7.3% of the population of children aged 0–17 in WA but accounted for 56% of children in out-of-home care (OOHC) (SCRGSP 2025, tables 16A.42 and 16A.4). This disparity results in Aboriginal and Torres Strait Islander children in WA being 17.8 times more likely than non-Indigenous children to be in OOHC and other supported placements, the highest over-representation in Australia. During 2022–23 in WA, Aboriginal and Torres Strait Islander children made up 58% of children in OOHC, and 47% of substantiated claims of abuse or neglect (SNAICC 2024). Despite this, only 3% of child protection funding was invested in ACCOs (SNAICC 2024).

The WA Government's commitment to the National Agreement on Closing the Gap (the National Agreement), which aims to reduce the over-representation of Aboriginal children in OOHC by 45% by 2031, is informed by the Child Placement Principle, as it aims to ensure that Aboriginal and Torres Strait Islander children in OOHC maintain connections to their family, community, culture, and Country, promoting their wellbeing and resilience. Further, the government's partnership with Aboriginal and Torres Strait Islander leaders under the *Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031* (Safe and Supported) embodies a commitment to implementing the Child Placement Principle to the standard of active efforts.

In 2022, SNAICC was funded by the Department and collaborated with Aboriginal and Torres Strait communities, leaders and ACCOs in WA to develop a 10-Year WA Roadmap (WA Roadmap) aimed at reducing the over-representation of Aboriginal and Torres Strait Islander children in OOHC and ensuring compliance with the Child Placement Principle. The draft WA Roadmap and First Action Plan were submitted to the WA Government in September 2023 for review and consideration.

While the draft WA Roadmap and first Action Plan have not been published, the Department has informed SNAICC that they are implementing changes to address the over-representation of Aboriginal and Torres Strait Islander children in care, aligned to:

- the recommended actions in the draft WA Roadmap,
- feedback from the Aboriginal Community during the WA Roadmap consultations, and
- feedback from the WA Aboriginal community led by different Aboriginal consultants associated with specific reforms, such as the OOHC and earlier intervention and family support recommissioning processes, and consultations associated with the Aboriginal Cultural Capability Reform program.

<sup>1</sup> Please note that we have updated the way our reviews are structured. Previously, reviews were categorized by specific review periods. They are now titled by the year they are released and include all relevant developments up to that point in time. This change provides a clearer, more comprehensive snapshot of progress and updates within each release year.

<sup>2</sup> Note on language: In Western Australia, 'Aboriginal' is respectfully used as inclusive terminology for people who identify as Aboriginal, Torres Strait Islander or Aboriginal and Torres Strait Islander. In contrast, SNAICC uses 'Aboriginal and Torres Strait Islander', written in full. Both of these preferences are reflected throughout this Review.

## Methodology

This review has been developed by SNAICC – National Voice for our Children (SNAICC) with input from Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) and state and territory governments. This review is informed by the best practice approach set out in SNAICC's Aboriginal and Torres Strait Islander Child Placement Principle resource series (SNAICC 2017, SNAICC 2018a), a 2018 baseline analysis (SNAICC 2018b) and subsequent annual reviews undertaken by SNAICC.

These reviews arise from Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031. They also align with the priority reform areas of the National Agreement on Closing the Gap, including Priority Reform 3 on improving government accountability and Priority Reform 4 on improving Aboriginal and Torres Strait Islander peoples' access to data that affects them and their communities.

This review evaluates the performance of the WA Government in applying the Aboriginal and Torres Strait Islander Child Placement Principle (the Child Placement Principle) to address the disproportionate representation of Aboriginal and Torres Strait Islander children in OOHC. The analysis is structured to:

- highlight data on Aboriginal and Torres Strait Islander child welfare outcomes and over-representation rates specific to Western Australia,
- contextualise the historical and systemic barriers to implementation of the Child Placement Principle, such as institutionalised racism and resource constraints,
- examine government initiatives, reforms and funding commitments aimed at addressing these issues, and
- identify gaps and propose actionable priorities to enhance adherence with the Child Placement Principle.

Quantitative and qualitative analysis is used to measure and review WA's progress against the five elements of the Child Placement Principle and across legislation, policy, programs, processes and practice.

This review incorporates qualitative data from WA service providers and governments to offer deeper insights into the lived experiences, challenges and opportunities related to the implementation of the Child Placement Principle, as well as the systemic and cultural factors influencing its effectiveness. This review also analyses the most recently available quantitative data to provide an up-to-date assessment of key trends and outcomes related to the implementation of the Child Placement Principle. This focused analysis ensures that the findings accurately reflect the current state of over-representation, service delivery and government responses. Quantitative data is taken primarily from the *Report on Government Services (RoGS) Chapter 16 – Child Protection* (SCRGSP 2025), the Australian Institute of Health and Welfare (AIHW) *Child Protection Australia* report (AIHW 2024a) and the AIHW *Aboriginal and Torres Strait Islander Child Placement Principle Indicators* report (AIHW 2024b).<sup>3</sup>

<sup>3</sup> OOHC figures in this review include 'out-of-home care' and 'third-party parental responsibility orders' (AIHW) or, where specified, 'out-of-home care' and 'other supported placements' (RoGS). Data on children of unknown Indigenous status in OOHC are excluded where relevant. Delays in the publication of RoGS and AIHW data, due to comprehensive data collection, lead to inconsistencies in the time periods covered. All data used is the most up-to-date available at the time of publication:

- RoGS Chapter 16 – Child Protection 2025: Released January 2025, covering 2023-24 financial year data.
- AIHW Child Protection Australia 2022-23: Released September 2024, covering 2022-23 financial year data.
- AIHW ATSCICPP Indicators Report: Released December 2023, covering 2021-22 financial year data.

## Prevention

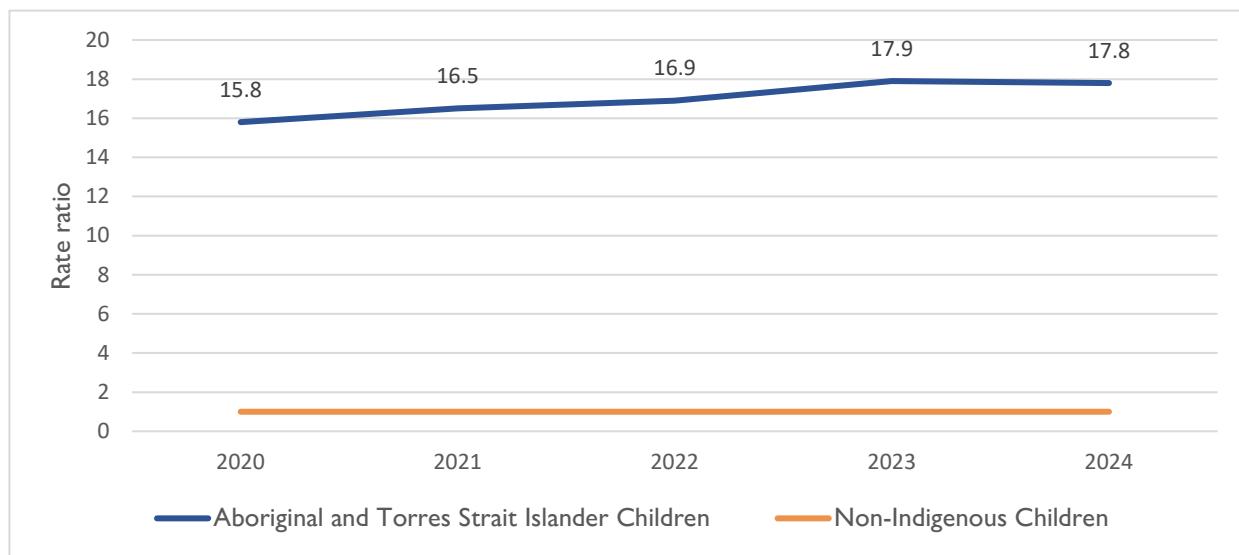
The prevention element of the Child Placement Principle aims to ensure that Aboriginal and Torres Strait Islander children and their families grow up healthy and safe, and within their own family and community. Preventing children and families from entering OOHC requires collaboration among various services and programs that span multiple government sectors, such as health, education, housing and economic development. This review primarily focuses on the child welfare-focused activities of the Department of Communities (the Department), while noting that holistic prevention can only be achieved with a whole-of-government approach in partnership with Aboriginal and Torres Strait Islander communities and organisations.

### Over-representation in out-of-home care

WA continues to have the highest over-representation of Aboriginal and Torres Strait Islander children in OOHC. As of 30 June 2024, Aboriginal and Torres Strait Islander children in WA were placed into OOHC and other supported placements at 17.8 times the rate of non-Indigenous children (SCRGSP 2025, tables 16A.2, 16A.3 and 16A.42). Figure 1 below shows the increasing rate of over-representation of Aboriginal and Torres Strait Islander children in OOHC and other supported placements in WA over the past five years.

As of 30 June 2024, WA had 5498 children living in OOHC and other supported placements (SCRGSP 2025, tables 16A.2 and 16A.3). Out of this number, 58.2% (3199) of children identified as Aboriginal or Torres Strait Islander, despite making up only 7.3% of the total population of children aged 0-17 in WA in 2024 (SCRGSP 2025, table 16A.4).

**Figure 1 – Trend in rate ratios comparing Aboriginal and Torres Strait Islander and non-Indigenous children in OOHC and other supported placements in SA as of 30 June 2020 to 2024**



Source: SNAICC calculation of rate ratios, with data drawn from - Report on Government Services 2025, Part F, Section 16 Child Protection Services, tables 16A.2, 16A.3 and 16A.42.<sup>4</sup>

<sup>4</sup> Rate ratios are calculated by dividing the rate for Aboriginal and Torres Strait Islander children (most often per 1,000 children) by the rate for non-Indigenous children. These ratios provide a lens through which to understand how much more likely Aboriginal and Torres Strait Islander children are to experience specific interventions within the child protection systems, including removal from their families of origin. The Aboriginal and Torres Strait Islander population estimates reported in Table 16A.42 of the 2025 RoGS are based on the Australian Bureau of Statistics (ABS) 2021 Census. Previous reviews have included RoGS population estimates that were based on the ABS 2016 Census. Between 2016 and 2021, the Aboriginal and Torres Strait Islander Census counts increased to varying degrees across states and territories. Because these calculations involve different data sets, the over-representation rates will differ slightly from previous years.

**Analysis Note:** This report frequently uses the phrase ‘over-representation’ to highlight the disparity in outcomes between Aboriginal and Torres Strait Islander children and non-Indigenous children. These are also referred to as rate ratios, which are calculated by dividing the rate for Aboriginal and Torres Strait Islander children (most often per 1,000 children) by the rate for non-Indigenous children. This enables analysis of how much more likely Aboriginal and Torres Strait Islander children are to experience certain outcomes. These rate ratios are different to the Productivity Commission’s reporting on Target 12 of Closing the Gap, which uses the rate (per 1000) of children in OOHC.

In 2023-24, Aboriginal and Torres Strait Islander children were admitted into OOHC at a rate of 13.4 per 1,000 in the WA population aged 0-17 (SCRGSP 2025, tables 16A.4 and 16A.42). This is compared to 0.8 per 1,000 for non-Indigenous children (SCRGSP 2025, tables 16A.4 and 16A.42). This was a decrease from 14.4 per 1,000 in 2022-23. This is above the national rate for Aboriginal and Torres Strait Islander children entering OOHC at 11.1 per 1,000 children (SCRGSP 2025, tables 16A.4 and 16A.42).

**Table 1 – Children entering and exiting OOHC (rate per 1,000)**

|  | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|--|---------|---------|---------|---------|
| <b>Aboriginal and Torres Strait Islander children admitted to OOHC</b>     | 10.9    | 10.4    | 14.4    | 13.4    |
| <b>Aboriginal and Torres Strait Islander children discharged from OOHC</b> | 12.8    | 12.5    | 11.6    | 11.7    |
| <b>Non-Indigenous children admitted to OOHC</b>                            | 0.7     | 0.6     | 0.7     | 0.8     |
| <b>Non-Indigenous children discharged from OOHC</b>                        | 0.9     | 0.8     | 0.7     | 0.7     |

Source: SNAICC calculation of rates per 1,000, with data drawn from - Report on Government Services 2025, Part F, Section 16 Child Protection Services, tables 16A.4 and 16A.42.

As shown in Table 1 above, in 2023-24, Aboriginal and Torres Strait Islander children in WA were discharged from OOHC at a rate of 11.7 per 1,000 (SCRGSP 2025, tables 16A.4 and 16A.42). This is compared to 0.7 per 1,000 for non-Indigenous children (SCRGSP 2025, tables 16A.4 and 16A.42).

There are various pathways through which children exit care, including reunification, placement on a third-party parental responsibility order (TPPRO), turning 18, transitioning to independent living, or entering detention. These figures should be approached with caution, as many exits do not necessarily result in positive outcomes for Aboriginal and Torres Strait Islander children (SNAICC 2024). In WA, of the Aboriginal and Torres Strait Islander children who exited care in 2022-23, 39.3% were reunified, 15.8% exited due to age, and 6.7% exited to a TPPRO. 38.1% exited to ‘other’ circumstances<sup>5</sup> (AIHW 2024, table 10.13). Reunification and the use of permanent care orders are discussed below under Connection.

<sup>5</sup> The other category denotes children who do not fall into the reunification, third-party order, adopted and aged-out categories. This would include children who are discharged from out-of-home care and exit to a placement that is not in scope for out-of-home care (e.g. a non-funded placement where they live independently, with parents on a trial reunification, in detention etc.).

Over the past four years, Aboriginal and Torres Strait Islander children and families in WA have also remained significantly over-represented in notifications, investigations and substantiations. As outlined in Table 3, Aboriginal and Torres Strait Islander children in 2023-2024 were 11 times more likely to be the subject of a notification; 8.8 times more likely to be subject to an investigation and 11.3 times more likely to be subject to a substantiation than non-Indigenous children (SCRGSP 2025, table 16A.1). These ratios have all risen significantly since 2020-2021 and are likely indicative of intensified surveillance and bias in reporting and substantiation decision-making, including whether social inequity is being misinterpreted as parental ‘neglect’.

**Table 2 – Over-representation of Aboriginal and Torres Strait Islander children aged 0–17 years in notifications, investigations and substantiations in WA compared to non-Indigenous children – Rate ratios**

|                        | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|------------------------|---------|---------|---------|---------|
| <b>Notifications</b>   | 8.8     | 9.6     | 10.3    | 11.0    |
| <b>Investigations</b>  | 7.1     | 7.5     | 8.4     | 8.8     |
| <b>Substantiations</b> | 9.2     | 10.0    | 11.4    | 11.3    |

Source: SNAICC calculation of rates per 1,000, with data drawn from - Report on Government Services 2025, Part F, Section 16 Child Protection Services, tables 16A.1.

### Family Support Services

In 2023-24, only 4.4% of the WA’s real recurrent expenditure on child protection services was attributed to Intensive Family Support Services (IFSSs) and Family Support Services (FSSs), a drop from 5.6% in 2020-21 (SCRGSP 2024, table 16A.8). The national average expenditure on IFSSs and FSSs was 15.6% in 2023-24. While the WA Government’s expenditure on IFSSs and FSSs increased slightly in 2023-24 (Table 3), this proportion of funding put towards early intervention and prevention remains alarmingly low. If the WA Government continues to direct the majority of funding towards OOHC services, this will do little to stem rising OOHC numbers.

**Table 3 – Proportion of Government child protection services expenditure on IFSS and FSS in WA (2020-21 to 2023-24)**

|                                     | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|-------------------------------------|---------|---------|---------|---------|
| <b>Total expenditure (\$'000)</b>   | 691.7   | 717.6   | 876.9   | 988.2   |
| <b>Proportion of IFSSs and FSSs</b> | 5.6     | 5       | 4.3     | 4.4     |

Source: Report on Government Services 2025, Part F, Section 16 Child Protection Services, table 16A.8.

To ensure that IFSSs and FSSs are culturally safe and effective for Aboriginal and Torres Strait Islander children and their families, it is essential that the WA Government fund ACCOs to provide these services, while also investing in ways to increase the cultural safety and accessibility of mainstream services. In 2022-23 in WA, 21% of IFSS and FSS funding was invested in ACCOs (SNAICC 2024). While this figure is above the national average of 6% (excluding the NT), the overall WA Government expenditure on FSSs and IFSSs is critically low, as discussed above (SNAICC 2024).

As shown in Table 4, in 2023-24, 69.3% of children (829 out of 1,196) commencing IFSSs in WA identified as Aboriginal or Torres Strait Islander (SCRGSP 2025, table 16A.35). This is compared to 67.9% of children (1,010 out of 1,487) in 2022-23. While this appears to reflect promising and high rates of engagement with a support service, it is important to note that these services are only available to families who are subject to a family preservation or a family reunification order. It is therefore unsurprising that there are high rates of Aboriginal and Torres Strait Islander families commencing a service in line with their over-representation in the system. These figures should also be read in the context of WA's critically low overall expenditure on FSSs and IFSSs, as noted above.

**Table 4 – Proportion of Aboriginal and Torres Strait Islander children commencing IFSS in WA (2020-21 to 2023-24)**

|  | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|--|---------|---------|---------|---------|
| <b>Aboriginal and Torres Strait Islander children commencing IFSSs</b> | 909     | 900     | 1,010   | 829     |
| <b>Total children commencing IFSSs</b>                                 | 1,526   | 1,402   | 1,487   | 1,196   |
| <b>Proportion</b>  | 59.5%   | 64.1%   | 67.9%   | 69.3%   |

Source: Report on Government Services 2025, Part F, Section 16 Child Protection Services, table 16A.35.

The absence of available data on engagement in broader family services means there is limited information on whether families are getting the supports they need earlier to prevent further engagement with the system. ACCO sector and community stakeholders in WA have pointed to the limitations of IFSS programs and funding arrangements that only allow them to support families on referral from the Department, meaning they are unable to respond flexibly to the needs of families in their communities and provide early supports.

## Earlier Intervention and Family Support Strategy

Released in 2016, the WA Government's Earlier Intervention and Family Support Strategy (EIFS Strategy) is the key policy framework for early supports for families to keep children safe and at home. The EIFS Strategy involves a coordinated response between the Department of Communities, other state government agencies and the community services sector. In WA, the Department funds four Aboriginal In-Home Support Services (AISSs) and 17 IFSSs state-wide that are delivered by ACCOs or in partnership with ACCOs (Department of Communities 2024b). The Department also reports that in 2022-23, 85% of Aboriginal and Torres Strait Islander children receiving AISSs remained at home, and 80% of children referred to an IFSS remained at home after a further 12 months.

Recently, a five-year service contract was awarded to South West Aboriginal Medical Service to deliver the South West Regional Family Support Hub (WA Government 2025) through an ACCO restricted request for tender. The South West Regional Family Support Hub was designed in partnership with Lamb Incorporated and Wungener Aboriginal Corporation as part of the Regional Service Model that was evaluated in 2024. Procurement for two other external EIFS programs — those delivered outside the Department — the Family Support Network, via a competitive tender for the metropolitan corridor, and the Intensive Family Support Service, was originally scheduled for announcement in the second quarter of 2025. However, given the pending announcements for successful applicants, this timeline may be subject to revision to reflect current delays.

The Department have also reported that they have taken measures to streamline the process and extend the time of advertisement for EIFS tenders, and have contracted Keogh Bay People, a registered Aboriginal business, to develop a monitoring and learning framework for existing and new EIFS programs (Department of Communities 2024b).

The Office of the Auditor General published a performance audit on the EIFS Strategy on 27 June 2024 and concluded that the Department had been only ‘partly effective in implementing its EIFS Strategy’ (OAG 2024). The Auditor General assessed that the overall EIFS Strategy goals towards diversion and prevention were not being tracked effectively or achieved. The Auditor General further stated that only 19% of funding under the EIFS Strategy is dedicated to diverting families from child protection services, while the remainder of funded programs are related to once a family is already in crisis.

### Social Determinant Risks of Increased Contact with the Department

Social determinants of health, including housing insecurity, poverty, unemployment and limited access to healthcare and education, can heighten the likelihood of any family coming into contact with the Department. However, these factors do not inherently cause child abuse or neglect. A further risk lies in how government systems respond to social disadvantage. When tailored, culturally safe and accessible early intervention supports are absent, families experiencing hardship are more likely to be drawn into statutory systems rather than supported to remain connected (SNAICC, 2024).

Social factors shape how families experience statutory child protection processes. For Aboriginal and Torres Strait Islander families, these experiences are further compounded by the enduring impacts of colonisation, systemic racism and intergenerational trauma. Limited access to adequate housing, education, employment and essential services has a cumulative impact on health and wellbeing, which can heighten visibility to statutory authorities. These conditions are not only structural but are also maintained by policy inaction and the failure to implement culturally safe support systems (Collings et al., 2024).

Aboriginal and Torres Strait Islander families have been successfully rearing children for over 60,000 years, with strong cultural practices and community structures that have supported the wellbeing and safety of Aboriginal and Torres Strait Islander children. There is no evidence to support the notion that Aboriginal and Torres Strait Islander parents are inherently more likely to be abusive or neglectful. However, there is a relationship between social hardship and structural disadvantage, which significantly increases the risk of child maltreatment and child protection intervention (SNAICC, 2023). These systemic inequalities are compounded by policy inaction and the failure of the Department to implement culturally safe support systems in all stages of child protection ‘intervention’ (Collings et al., 2024).

This can be evidenced through the Department's processes around notifications, investigations, substantiations and child removal into OOHC disproportionately impacting Aboriginal and Torres Strait Islander families across every stage of system intervention (AIHW, 2024). The interplay of socio-economic factors and the Department's processes is further influenced by systemic racism and a lack of cultural awareness, both within government departments and throughout the non-Indigenous Western Australian community. In WA, there continues to be a range of social, economic and health challenges contributing to Aboriginal and Torres Strait Islander children entering OOHC. The WA Government has released several strategies designed to address these challenges. Relevant initiatives are outlined in Table 6 below, along with a short description of relevant public commentary or evaluation, if available.

**Table 5 – Strategies to Address Social Determinants of Aboriginal and Torres Strait Islander Health and Wellbeing in WA**

| Social Strategies                                   | Updates on legislation, policy and practice  |
|---|--|
| <b>Access to early childhood education and care</b> | <p>There is no recent or publicly available data on health, development and early years participation for Aboriginal and Torres Strait Islander children in WA, but research is being conducted to understand the influence of early life environments and health through the Western Australian Aboriginal Child Health Survey (Mitrou et al., 2024).</p> <p>The Department continues to manage the Early Years Partnership, and, in May 2024, the WA Government and Minderoo Foundation (Minderoo) announced a further \$15.6 million in the 2024-25 state budget to continue to progress projects in the four communities. The WA government has also awarded funds to local government authorities to address developmental needs of young children, and allocated funds through the Preschool Reform Agreement for grants to deliver activities such as parent workshops and professional development for educators.</p>  |
| <b>Early contact with youth justice</b>             | <p>The Department of Communities, alongside the Departments of Education, Justice and Health, will deliver the New On Track to Thrive pilot program announced in January 2025. The program supports five to nine-year-old children by intervening early in offending behaviour and aims to divert children away from the criminal justice system. In March 2024, Marlamanu Pty Ltd, a subsidiary of KRED Enterprises Charitable Trust, signed a funding agreement with the WA Government to progress delivery of a three-year on Country diversionary pilot program for at-risk youth in the Kimberley region. The Aboriginal and Torres Strait Islander-led program will be established at a facility at Mount Anderson Station. The program aims to provide up to 16 places each year for male young people between 14 and 17 as an alternative to detention. Broome's new Immediate Response Night Space (IRNS), Ngurru Buru, service has been active since May 2024 for four nights a week and is being run by the Kullarri Regional Communities Indigenous Corporation. The IRNS connects young people with responsible adults and mentors, offers outreach, connection with services, and provides a physically safe location with meals at nighttime, with the aim to fill a gap in overnight service delivery.</p> |

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|  | <p>Over the last two years, WA has seen significant calls from grieving Aboriginal and Torres Strait Islander families and communities to immediately close the youth detention unit (Unit 18) of the Casuarina adult maximum security prison following two deaths in custody, inquiries, and reports on practices that compromise the rights of young detainees. The WA government continues to respond with announcements regarding the development of a new high-security youth detention facility next to Banksia Hill Juvenile Detention Centre before the relocation of youth detainees from Unit 18 can occur. But communities and social service organisations continue to call for community-led responses and infrastructure to youth justice, as opposed to detention investments.</p>   |
| <p><b>Family, Domestic and Sexual Violence</b></p> | <p>On 29 November 2023, the WA government announced a new \$1.2 million three-year youth counselling service designed to support children and young people on Ballardong Noongar Country in Northam. This service is designed to help disrupt the cycle of family and domestic violence. Yorgum Healing Service (Yorgum) has been contracted to deliver the counselling service. Yorgum is delivering the service to young people where they feel safe, such as through school and community centre outreach. The program aims to support social connection, healing and recovery through tailoring programs to the young person's age and cultural background.</p> <p>In April 2024, the Department introduced the Aboriginal Family Safety Grants Program 2024. The one-off grants are available for eligible organisations to develop Aboriginal and Torres Strait Islander and community-led family safety activities across two years. Applications were open until 2 July 2024 for grant funding of \$5.75 million total over two years. There were 12 successful recipients awarded to ACCOs and not-for-profit registered Aboriginal and Torres Strait Islander businesses.</p> <p>In June 2024, it was announced that Family Outreach Service Broome, in partnership with Anglicare WA, had won the service contract of \$16.3 million for the Broome One Stop Family and Domestic Violence hub. While development of a purpose-built property is ongoing, Family Outreach Service Broome and Anglicare WA will provide interim services for people experiencing family and domestic violence, including advocacy, counselling, legal assistance and support for children.</p> |

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| <b>Housing</b> | <p>The WA Government is still implementing <i>All Paths Lead to a Home: Western Australia's 10-Year Strategy on Homelessness 2020-2030</i>.</p> <p>The WA Government states that its key achievements include:</p> <ul style="list-style-type: none"> <li>• expanding new Aboriginal and Torres Strait Islander short-stay accommodation services in Boorloo/Perth, Jambinu/Geraldton and Goonoonoorrang/Kununurra,</li> <li>• transforming existing buildings into accommodation with the 'Common Grounds' models and building offering new low-barrier homelessness services for rough sleepers,</li> <li>• implementing the North-West Aboriginal Housing Fund to support employed Aboriginal and Torres Strait Islander people to access affordable housing outside of the social housing system, and provide opportunity for education, training, and employment, and</li> <li>• delivering the supportive landlord models that have supported 39 children to date.</li> </ul> |
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## Partnership

To improve the wellbeing of Aboriginal and Torres Strait Islander children and families, governments and key stakeholders must establish and maintain genuine partnerships with Aboriginal and Torres Strait Islander communities. The partnership element of the Child Placement Principle is not just about collaboration or consultation—it is a mechanism for advancing self-determination in child protection. Meaningful involvement of Aboriginal and Torres Strait Islander people in all aspects of design, delivery and decision-making ensures that policies and practices reflect cultural knowledge, community priorities and the rights of children to grow up connected to family, culture and Country. Without prioritising the full implementation of this principle, child protection systems risk continuing to perpetuate approaches that exclude Aboriginal and Torres Strait Islander voices and fail to uphold their inherent rights to lead decisions affecting their children and families.

## Investment in ACCOs

Increasing investment in the ACCO sector is a key component of effective implementation of the Partnership element. Strengthening financial support ensures ACCOs have the capacity to deliver culturally responsive services that meet the unique needs of Aboriginal and Torres Strait Islander communities. Without adequate funding, ACCOs may struggle to build sustainable programs, limiting their ability to deliver the long-term structural outcomes, ultimately setting them up to fail.

To effectively support ACCOs, funding must be substantial, equitable and free from tokenism, enabling them to lead, deliver and sustain vital services for Aboriginal and Torres Strait Islander children and families on their terms. This funding should meaningfully reflect the service demands of Aboriginal and Torres Strait Islander communities. Despite all jurisdictions committing to reporting on the proportion of their expenditure on ACCOs through the previous *National Framework for Protecting Australia's Children (2009–20)*, current publicly available data products do not capture this measure. However, most states and territories provide this data to inform the SNAICC Family Matters reports (SNAICC 2024).

During 2022-23, in WA, Aboriginal and Torres Strait Islander children made up 58% of children in OOHC, and 47% of substantiated claims of abuse or neglect (SNAICC 2024). Despite this, only 3% of child protection funding was invested in ACCOs, below the national average of 6%, as shown in Table 5 (SNAICC 2024).

**Table 6 – Real recurrent child protection expenditure on Aboriginal and Torres Strait Islander community-controlled services, 2022–23 (WA).**

| Type of service                         | Total expenditure (\$'000) | Direct funding to ACCOs (\$'000) | % of total expenditure to ACCOs |
|---|----------------------------|----------------------------------|---------------------------------|
| <b>FSSs and IFSSs</b>                   | 37,807                     | 7,940                            | 21%                             |
| <b>Protective intervention services</b> | 264,660                    | 5,578                            | 2%                              |
| <b>Care services</b>                    | 535,653                    | 8,548                            | 2%                              |
| <b>Total</b>                            | <b>838,120</b>             | <b>22,066</b>                    | <b>3%</b>                       |

Source: Data provided by state and territory governments to SNAICC. Proportions of children subject to substantiations drawn from Report on Government Services table 16A.1, and proportions in OOHC drawn from Child Protection Australia 2022–23 table T3.

## Commissioner for Aboriginal Children and Young People

The establishment of a dedicated Commissioner for Aboriginal Children and Young People (Commissioner) is a key commitment in the First Aboriginal and Torres Strait Islander Action Plan under Safe and Supported. Action 7(b) highlights the need for specialised advocacy, engagement and accountability roles to ensure child safety and wellbeing policies, legislation, programs, and practices align with the UN Convention on the Rights of the Child and the UN Declaration on the Rights of Indigenous Peoples. Aboriginal and Torres Strait Islander leaders in WA strongly supported this initiative during consultations for the WA Roadmap.

The establishment of a dedicated Commissioner aligns with the Partnership element of the Child Placement Principle, which emphasises the meaningful involvement of Aboriginal and Torres Strait Islander communities in child protection decisions. The role of a Commissioner would strengthen collaboration between government agencies and ACCOs, ensuring policies and practices reflect the voices and needs of Aboriginal and Torres Strait Islander children, families and communities. The WA Joint Standing Committee on the Commissioner for Children and Young People, in their Report Everybody's Business (Report No 7. June 2016), recommended that the Children's Commissioner's office be appropriately resourced to appoint a person who is either a special advisor on matters concerning Aboriginal children and young people, or to consider appointing an additional Commissioner for Aboriginal children. (Recommendation 3, Page 58).

In January 2022, Arrente/Warramungu woman Jacqueline McGowan-Jones was appointed Commissioner for Children and Young People in WA. She has extensive experience in child wellbeing, education and the rights of Aboriginal and Torres Strait Islander peoples. While Commissioner McGowan-Jones has been a strong advocate for Aboriginal and Torres Strait Islander children's rights in WA, the WA Government has maintained that a dedicated Commissioner for Aboriginal and Torres Strait Islander children and young people is unnecessary and is not currently planned, despite its commitment to Safe and Supported and significant advocacy from the legal and ACCO sectors.

## ACCO Policy and Commissioning

The Department was the first WA Government department to publish an ACCO strategy, the Aboriginal Community Controlled Organisation Strategy 2022-2032 (Communities' ACCO Strategy), which launched in August 2022, and implementation is ongoing (Department of Communities 2022). The Department is also currently in the process of finalising a Strengths and Opportunities Analysis of the WA ACCO sector, developed in partnership with the Noongar Family Safety and Wellbeing Council (NFSWC) (Department of Communities 2024c). This analysis has led to the development of a draft ACCO Dashboard, designed for Communities' internal use, to support decision-making and guide plans for strengthening the ACCO sector.

Under the Communities' ACCO Strategy, the Department has been working with the ACCO sector to develop a commissioning framework. However, this framework is yet to be finalised or released, and the last update on progress was published on the Department's website on 18 March 2024. The State Commissioning Strategy for Community Services – Implementation Plan 2024-2026 states that the commissioning framework will 'improve and increase contracting with ACCOs.' Actions under the implementation plan include continuing to report on Aboriginal and Torres Strait Islander expenditure, supporting ACCO capacity-building efforts and reporting on ACCO involvement in program design. Additional actions include developing training material to support procurement and commissioning of ACCOs and to investigate the feasibility of an ACCO identification directorate to streamline the sourcing of ACCO providers.

The commissioning of five more ACCOs, in addition to the Yorganop Association, to provide OOHC services was announced in October 2023 by Hon. Sabine Winton, who was WA's Minister for Early Childhood Education, Child Protection, Prevention of Family and Domestic Violence, and Community Services at the time. The Department engaged the NFSWC to provide capacity-building support to ensure these new ACCOs are fully equipped to deliver OOHC services. This was welcomed by ACCO sector leaders as a positive and much-needed step towards expanding the role of ACCOs in child and family support (SNAICC 2024a).

Nevertheless, communities across WA continue to call for greater authority to be granted to ACCOs to effectively address the real needs of families and children. There is also a need for adequate, commensurate funding that acknowledges the burdens placed on organisations that operate across large geographical areas, with multiple families to support, extensive reporting requirements and, often, with limited staff. Many community leaders note the tension between receiving insufficient funding and lacking the legislative mechanisms to fully engage in many aspects of child protection intervention, such as case management and reunification. Moreover, vital case management information, such as family details and genograms, is withheld from ACCOs and Aboriginal community organisations, hindering their ability to provide support to children and families (SNAICC 2024a).

Further, in May 2024, the Whole of Government ACCO Strategy (ACCO Strategy), developed in partnership with the Council of Aboriginal Services WA (CASWA), was released (Premier and Cabinet 2024). Amongst several other reforms, this strategy commits to:

- prioritising ACCOs in procurement as a preferred service provider to Aboriginal and Torres Strait Islander peoples,
- developing effective sector Peak Body representation,
- developing longer-term capacity building investment as the new standard to commissioning ACCOs, rather than the reliance on one-off grants, and
- prioritising for planning and design of services to be done in partnership with ACCOs, when these services are to be led by non-Indigenous service providers.

Whilst developing effective sector Peak Body representation, to be led by CASWA, is a component of the ACCO strategy, the WA Government is yet to commit to a specialist child and family Peak, despite continued calls from the community (SNAICC 2024b). Further, it is important to note that WA-based ACCOs sometimes experience unfavourable partnership arrangements with other child and family service providers due to:

- inadequate compensation or acknowledgement of the ACCO's intellectual property,
- a lack of shared understanding, and
- an arms-length partnership with limited involvement on a day-to-day basis.

## Aboriginal Representative Organisations

The *Children and Community Services Amendment Act 2021* (WA) included provisions for Aboriginal Representative Organisations (AROs) to be consulted on placement arrangements and cultural support planning for children in their community. AROs are organisations recognised by the local Aboriginal and Torres Strait Islander community that have knowledge of the child, family and/or community, and organisations are approved to be an ARO by the CEO of community organisations, in accordance with regulations. The first stage in implementing AROs state-wide was the 12-month ARO Pilot, launched in November 2022 in two regions: on Noongar Country in Armadale and across the Kimberley region. Yorganop Association in Armadale and Aarnja Ltd in the Kimberley received a

combined \$1.3 million to deliver the ARO pilot.

The second stage is the transition from pilot to state-wide rollout, which began after the ARO Pilot concluded in October 2023. This transition stage includes the finalisation of the ARO service model in response to pilot evaluation findings. A recent grants process identified 11 ACCOs across the state who expressed an interest in being an ARO in their local community. Grant funding was provided to all 11 ACCOs with the goal of building their capacity to deliver ARO services in the future. The ARO Program has been allocated a further \$2.85 million to support all 11 ACCOs to continue service delivery in Armadale and the Kimberley region. The Department reports that there were 121 referrals for consultations made to local AROs from 1 November 2022 to 31 October 2023 (Department of Communities 2024d).

## Cultural Capability

The Department, through its Aboriginal Cultural Capability Reform Program (ACCRP), is driving an internal cultural reform agenda aimed at improving the cultural competence of its workforce and the cultural responsiveness of its systems, policies, and practices to enable whole-of-life outcomes for Aboriginal people, children, families, and communities across the state.

A key deliverable of the ACCRP is the Aboriginal Cultural Framework 2024-2034 (the Framework). Its development was informed through state-wide engagement facilitated by Kambarang Services. Between November 2022 and January 2023, 16 workshops were held and over 800 stakeholders were consulted, including the Aboriginal community, ACCOs and the Department's Aboriginal employees. In late 2024, the Framework was launched.

The Framework is a milestone that arose from a cultural competency audit, which found significant gaps in cultural competency among child protection staff, and the Department responded by establishing the Aboriginal ACCRP, alongside continuing mandatory orientation programs for child protection workers and whole-of-organisation cultural appreciation courses.

## Placement

Placement in accordance with the hierarchy of placement options<sup>6</sup> is fundamental to maintaining the strongest possible connection between Aboriginal and Torres Strait Islander children and their family, community, culture and Country. The placement hierarchy is not just a guideline – it is a safeguard against disconnection and a commitment to ensuring children grow up with cultural continuity.

Proper application of the placement hierarchy requires child protection decision-makers to exhaust all possible options at each level before considering a lower-order placement. No placement should occur without demonstrated consultation with the child's family and community representatives, ensuring that all higher-order placement options have been fully explored. Community representatives must be empowered to provide independent advice to the courts on the most appropriate care arrangements.

To ensure the integrity of the placement hierarchy, robust policies and procedures must be in place, alongside sufficient staff capacity to implement them effectively. A thorough process of family mapping—including searching for and identifying family carers—should be embedded in child protection practice to inform initial placements, placement changes and regular placement reviews. Additionally, procedures must include clear requirements to identify a child's Aboriginal and Torres Strait Islander status at the earliest possible opportunity, ensuring that culturally connected placements are prioritised.

**Table 7 – Aboriginal and Torres Strait Islander children aged 0-17 in OOHC, by caregiver type, in Western Australia as at 30 June 2024 (%).**

|   | 2021        | 2022        | 2023        | 2024        |
|---|-------------|-------------|-------------|-------------|
| <b>Placed with relatives/kin or other Aboriginal and Torres Strait Islander carer</b> |             |             |             |             |
| Aboriginal relative/kin   | 38.9        | 38.8        | 39.5        | 37.1        |
| Non-Indigenous relative/kin   | 15.2        | 15.3        | 14.6        | 15.4        |
| Total placed with relatives/kin   | 54.1        | 54.1        | 54.1        | 52.6        |
| Other Aboriginal and Torres Strait Islander carer                                     | 7           | 6.7         | 6.2         | 5.2         |
| <b>Total</b>  | <b>61.1</b> | <b>60.8</b> | <b>60.3</b> | <b>57.7</b> |
| <b>In another care arrangement</b>  |             |             |             |             |
| Other non-Indigenous carer  | 32          | 32.1        | 30.9        | 30.8        |
| Residential care or family group home   | 6.9         | 7.1         | 8.7         | 11.4        |
| Independent living/living arrangements unknown  | NA          | NA          | NA          | NA          |
| <b>Total</b>  | <b>38.9</b> | <b>39.2</b> | <b>39.7</b> | <b>42.3</b> |

Source: Report on Government Services 2025, Part F, Section 16 Child Protection Services, table 16A.23.

<sup>6</sup> For further detail on the placement hierarchy, see SNAICC (2019). *The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation*

As seen in Table 7, the rates of placement of Aboriginal and Torres Strait Islander children with relatives/kin in 2024 have decreased. As of 30 June 2024, 37.1% of Aboriginal and Torres Strait Islander children in WA were placed with Aboriginal and Torres Strait Islander relatives/kin. This is the third highest rate in Australia (SCRGSP 2024, table 16A.23). The national average for placing Aboriginal and Torres Strait Islander children with Aboriginal and Torres Strait Islander relatives/kin is lower at 32.1% (SCRGSP 2024, table 16A.23). The Department also reports that relationships with children to their guardians have not been recorded for some placements with Aboriginal and Torres Strait Islander or non-Indigenous carers.

WA Aboriginal and Torres Strait Islander community leaders who participated in SNAICC's Family Matters workshop in September 2024 observed that many children are still placed with non-Indigenous carers. However, it was also noted that there had been steady progress transitioning some designated kinship carers and children from the Department to ACCOs.

## Children and Community Services Amendment Act 2021

The *Children and Community Services Act 2004* (WA) is the overarching legislation for child protection in WA. The *Children and Community Services Amendment Act 2021* (Amendment Act) (WA) received Royal Assent in October 2021, with most changes coming into effect in May 2022. These amendments strengthened Part 2 Division 3 – Principles relating to Aboriginal and Torres Strait Islander children, and embedded some aspects of the Principle, including the placement hierarchy. Other amendments included a requirement for a court report by an Aboriginal person/agency before the making of a Protection Order (Special Guardianship) in favour of non-Indigenous carers; the requirement for Cultural Support Plans; and a requirement to consult with an Aboriginal Registered Organisation (ARO) before placement decisions are made. The latter has yet to be proclaimed pending a statewide ARO rollout.

As stated in the last WA Child Placement Principle review (SNAICC 2024a), changes to the Amendment Act provide a basis for community and ACCO input into decisions, but are insufficient to shift towards greater Aboriginal self-determination, agency, and leadership in the partnership, participation, placement, and connection principles. These will be further considered in the next statutory Review of the Children and Community Services Act 2004 (WA) in 2027.

In May 2024, \$5.1 million was allocated to the extension of Dandjoo Bidi-Ak specialist court for two years at its existing capacity of 40 participating families. In Dandjoo Bidi-Ak, all parties, including the magistrate, sit on the same level in the room to create the sense of sitting around a table together with the aim to provide a safer environment for families to actively participate in care and protection proceedings and encourage family reunification. Curtin University is conducting an evaluation of the Dandjoo Bidi-Ak therapeutic pilot with an expected end date of mid-2024 (Curtin 2023) – the final report is yet to be published. The Aboriginal Legal Service has advocated Dandjoo Bidi-Ak be enshrined in the *Children's Court of Western Australia Act 1988* and not just in the Practice Directions.

## Participation

Any child entering OOHC, along with their families, must be actively involved in decisions concerning their care. For Aboriginal and Torres Strait Islander children, young people and their families, meaningful participation is not just beneficial – it is essential to ensuring agency in Department processes. Historically, departmental systems have marginalised Aboriginal and Torres Strait Islander voices, making decisions without their input. Genuine participation empowers children and families to exercise agency over their own lives, shaping decisions that reflect their needs, aspirations and cultural identity. Prioritising their involvement strengthens culturally informed decision-making and ensures that child protection practices uphold their right to be heard and respected.

Community consultation for the Family Matters Report 2024 found that Aboriginal and Torres Strait Islander organisations continue to have difficulties advocating for and with Aboriginal and Torres Strait Islander children and young people, largely due to the lack of active participation afforded to both families and young people.

### Aboriginal Family-led Decision-Making

The Aboriginal Family-Led Decision-Making (AFLDM) pilot was established in October 2021 with funding until 30 June 2025. The AFLDM pilot commenced operations on Whadjuk Noongar Country in the Perth suburb of Mirrabooka and the Mid West and Gascoyne regions. SNAICC held community consultations in September 2024, and participants were pleased that the pilot was extended. However, they were disappointed that an initiative that has been working well to define the building blocks of AFLDM is not being scaled up to meet demand in the community.

Under the pilot, ACCOs at each site have Aboriginal and Torres Strait Islander convenors to facilitate a culturally safe process that supports Aboriginal and Torres Strait Islander families to make decisions on how to best keep their children safe and connected with their family and community. The pilot is being independently evaluated by IPS Management Consultants, with early findings showing positive program outcomes for families, including implementation of family plans, reunification, prevention of children entering care and increased contact between parents and children in OOHC. In the 2021 Inquiry regarding the Amendment Act, SNAICC and the National Family and Child Support Coalition (NSFWC) recommended embedding legislative provisions to support AFLDM, for the scope to be broadened to meet the actual needs of families and children, and to extend the AFLDM to metropolitan Perth. These suggested reforms have not been supported by the government to date.

The Department reported that as of August 2024, there were 115 families involved in the AFLDM Pilot, and that the outcomes across 2022-23 included 12 reunifications to families, 4 children prevented from entering OOHC, and 4 child protection cases closed (Department of Communities 2024d).

### Advocate for Children in Care

The Department has an Advocate for Children in Care (the Advocate), established to support children in OOHC with concerns or complaints that cannot be resolved by their care team. The Advocate promotes the Charter of Rights for Children and Young People in Care and ensures children and young people are aware of these rights. The *Advocacy for Children and Young People in Care – Service Protocols* (Communities 2021) were last updated in October 2021. Aboriginal and Torres Strait Islander organisations have observed that children and young people may not know how to request the services of the Advocate.

During the last WA Child Placement Principle Review, Aboriginal Family Legal Services (AFLS), WA's specialist ACCO that provides free legal and non-legal support to Aboriginal and Torres Strait Islander people, has also expressed the need for WA's children and young people in OOHC to have access to a comprehensive, rigorous and properly resourced independent oversight body. The fundamental issue with the role of Advocate for Children in Care is that it sits within – not external to or independent of – the Department.

In August 2020, the Parliamentary Joint Standing Committee on the Commissioner for Children and Young People tabled their Report, "From Words to Action". Recommendation 14 stated "That attention is given to improving access to independent individual advocacy for children in care as a priority". Despite increasing numbers of children in out-of-home care, the Department has not increased the size of the office of the Advocate for Children in Care, and the Government has not implemented multiple recommendations, including from the current Commissioner for Children and Young People WA, to provide an independent advocacy service.

In 2020, the former Commissioner for Children and Young People, Colin Pettit, argued that WA's children and young people need access to an independent oversight and accreditation scheme to provide support for children in OOHC, provide effective delivery of outcomes-based services and improve transparency of practice and procedure (CCYP 2020). Commissioner Pettit noted that implementing and operating an independent oversight and accreditation scheme for children in OOHC would ensure this responsibility is undertaken in a manner that reinforces a holistic view of service responsibilities, values and understands the lived experiences of children and their families, and has the best interests of children and young people. SNAICC continues to hear calls from the WA community to create a genuinely legislated and independent monitoring mechanism of the child protection system.

## Connection

To ensure that Aboriginal and Torres Strait Islander children in OOHC do not experience the profound loss of identity and disconnection from family, community and culture that characterise the Stolen Generations, it is essential to actively support them in maintaining and re-establishing these vital connections. Connection is not just a principle—it is a fundamental right that safeguards children's sense of belonging, identity and wellbeing.

Protecting children's rights to cultural connection requires:

- the development, resourcing and implementation of cultural care plans for every child,
- carers making and being held accountable for their commitment to maintaining cultural connections,
- regular review and updating of cultural care arrangements to ensure an enduring commitment to connection,
- early consideration of reunification, with culturally safe supports in place to facilitate reconnection where possible,
- ongoing review and advancement of reunification and reconnection options to strengthen ties with family and community, and
- decisions about permanency of care being made in ways that do not sever the potential for future cultural connections.

Prioritising connection ensures that Aboriginal and Torres Strait Islander children grow up with a strong sense of identity, belonging and cultural continuity, shaping their futures in ways that honour their heritage and community ties.

## Reunifications

In 2022-23, 7% of Aboriginal and Torres Strait Islander children were reunified from OOHC in WA, consistent with a rate of 7.9% in 2021-22 (AIHW 2024b, table 10.15). Comparably, 9.7% of non-Indigenous children were reunified from OOHC in 2022-23 (AIHW 2024b, table 10.15). The Department reports that 19% of Aboriginal and Torres Strait Islander children referred for reunification in 2022-23 were home after a further 12 months (Department of Communities 2024d). This figure includes reunifications with non-Indigenous family members.

**Table 8 – Proportion of children aged 0-17 who were reunified from OOHC (including long-term guardianship orders) in Western Australia, 2020-21 to 2023-24 (%)**

|   | 2020-21 | 2021-22 | 2022-23 |
|---|---------|---------|---------|
| <b>Aboriginal and Torres Strait Islander children</b> | 8.5     | 7.9     | 7       |
| <b>Non-Indigenous children</b>                        | 13.2    | 10.5    | 9.7     |

Source: AIHW 2024b, table 10.15.

Children who are reunified with their families from OOHC occasionally return to care, but this is not the case for the majority of children. Whether or not a child returns to OOHC is significant because

it is a potential indicator of whether the supports provided to the family have been effective for the family in the long term. AIHW reports this data by whether a child returned to OOHC within 12 months after exiting to reunification, excluding those aged 17 who will transition out of care within 12 months and will no longer be in scope for OOHC (AIHW 2024b).

Table 8 shows the proportion of children aged 0-16 who were reunified from OOHC and did not return to care within 12 months between 2019 and 2022. In WA, 85% of Aboriginal and Torres Strait Islander children who were reunified did not return to care within 12 months, lower than the non-Indigenous rate of 93.9% (AIHW 2024b, table 10.19). This was slightly above the national rate, where 83.7% of Aboriginal and Torres Strait Islander children who were reunified did not return to care within 12 months (AIHW 2024b, table 10.19).<sup>7</sup>

**Table 9 – Proportion of children aged 0-16 who were reunified from OOHC and did not return to care within 12 months in Western Australia, 2019-20 to 2021-22 (%)**

|   | 2019-20 | 2020-21 | 2021-22 |
|---|---------|---------|---------|
| <b>Aboriginal and Torres Strait Islander children</b> | 85.9    | 90.5    | 85      |
| <b>Non-Indigenous children</b>                        | 93.7    | 88      | 93.9    |

Source: AIHW 2024b, table 10.19.

In regard to data on adoptions, the Department has reported that the number of Aboriginal and Torres Strait Islander children adopted is very low, but did not provide an exact number, as the release of figures could risk identifying individuals.

### Use of Long-Term and Permanent Care Orders

Children on long-term guardianship custody orders (GCOs) and third-party parental responsibility orders (TPPROs)<sup>8</sup> are considered unsuitable for reunification, due to the fact that they are on orders that typically last until they are 18 years old—reflecting policymakers' desire for permanent outcomes. However, children on long-term orders have often progressed to long-term care as a result of:

- inadequate efforts to prioritise reunification or even connection with their families,
- insufficient support for families to address the barriers to providing safe care for their children, and
- policies that limit reunification due to short and unreasonable legislative or policy-imposed timeframes (SNAICC 2024).

Nationally, 73.3% of Aboriginal and Torres Strait Islander children in OOHC at 30 June 2023 were on long-term GCOs and TPPROs (AIHW 2024c, table S4.10). In WA, this figure was 73.4% (AIHW

<sup>7</sup> The source for these calculations has changed from previous years' reviews, due to changes in AIHW reporting. Source data is from Table 10.15 of the Aboriginal and Torres Strait Islander children 2022–23 Supplementary Data Tables from Child Protection Australia 2023–24 (which includes reunifications for children on long-term orders), while previous reviews drew from Table S2.3a from the ATSCPP Supplementary tables 2022 released by AIHW (which excludes reunifications for children on long-term orders).

<sup>8</sup> In this review, we adopt the nationally standard terms long-term Guardianship Custody Orders (GCOs) and Third-Party Parental Responsibility Orders (TPPROs) to refer to Care and Protection Orders under Part 4 of the Children and Community Services Act 2004 (WA).

2024c), which is slightly above the national average. This means the majority of Aboriginal and Torres Strait Islander children in OOHC are on orders that do not prioritise reunification. The high number of these orders indicates a systemic drive towards long-term and permanent care orders for Aboriginal and Torres Strait Islander children, over and above supporting successful and sustainable reunification.

### Cultural support plans

One of the most important functions of the child protection system is to maintain Aboriginal and Torres Strait Islander children's connection to their culture. The Children's Court of WA requires that a cultural support plan (CSP) for Aboriginal and Torres Strait Islander children and young people be submitted with a written proposal by the Department before any final protection orders are made. On 30 June 2023, 78% of Aboriginal and Torres Strait Islander children in WA who are required to have a CSP had a current plan, which has remained relatively steady from 2017, but with 2020 recording the highest percentage of Aboriginal and Torres Strait Islander children with a CSP (80.4) and 2022 recording the lowest (67.3) (AIHW 2025, table 10.5).

WA Aboriginal and Torres Strait Islander organisation representatives observed the lack of participation for families and children in the development of CSPs, with the resulting plans often lacking quality, transparency and a genuine appreciation of Aboriginal and Torres Strait Islander culture as a strength.

### Home Stretch

Home Stretch WA is a voluntary program designed to assist young people transitioning out of care, from the age of 18 until they turn 21, by providing extended support and resources to help them achieve independent adulthood. The program offers various services, including assistance with obtaining secure accommodation, enrolling in further education, re-engaging with health services, enhancing financial skills, connecting to voluntary work opportunities and identifying local community resources.

Since 2022, WA has been working on a phased rollout of Home Stretch to establish it as a permanent statewide program. This is part of WA's broader strategy to support young care leavers. Communities have reported that information is being shared between existing not-for-profit organisations and newly commissioned ACCOs through a Community of Practice.

The 2024-25 State Budget allocated \$46.3 million over four years to further develop and sustain the program. As of June 2024, a total of ten ACCOs were delivering the program across the state. The Department of Communities also reported that approximately half of the young people supported by Home Stretch WA in 2024 were Aboriginal (Department of Communities 2024b).

## Conclusion

In examining the progress of the WA Government towards implementing the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle, this review has found that overall significant reforms are still needed, along with sustained increases in investment in the ACCO sector.

The continued over-representation of Aboriginal and Torres Strait Islander children in OOHC in WA urgently requires more investment in early and preventative supports delivered by ACCOs, enabling culturally responsive mitigation of the socio-economic drivers that increase the likelihood of contact with child protection, in line with the Prevention element. The reluctance of the WA government to establish a dedicated Aboriginal and Torres Strait Islander children's commission, or ACCO child and family peak body, limits fulfilment of the Partnership element. Greater commitment to independent Aboriginal leadership and oversight is critically needed, enabling system accountability.

Further, decreasing numbers of Aboriginal and Torres Strait Islander children in OOHC being placed with relatives/kin indicates that the Placement element is not being successfully implemented – and the successful implementation of the Participation element must be further enabled through the extension of AFLDM pilot programs, which require immediate long-term funding. Greater investment in ACCO-led reunification and cultural support programs is also desperately needed, to ensure fulfilment of the Connection element.

This review welcomes reforms through strategies such as EIFS, ACCO recommissioning, and the ARO program, and the role played by the Advocate for Children in Care. This review hopes that moving forward, programs such as these are expanded and further developed under the leadership of the WA ACCO sector and Aboriginal communities.

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