

# Family Matters

## Report 2025

*Strong, loved and full of potential.*



### FAMILY MATTERS

Strong communities. Strong culture.  
Stronger children.



## ACKNOWLEDGEMENTS

SNAICC – National Voice for our Children acknowledges the Traditional Custodians of Country throughout Australia and their continuing connections to land, waters and sky. We pay our respects to Aboriginal and Torres Strait Islander cultures and Elders—past and present. We recognise and respect their continued connection to Country, their care for community and their practice of culture across generations.

SNAICC acknowledges the strength and determination of Aboriginal and Torres Strait Islander children and families, including the survivors of the Stolen Generations and their descendants, and their ongoing struggle for justice.

SNAICC acknowledges that data about Aboriginal and Torres Strait Islander people must be shaped and governed by Aboriginal and Torres Strait Islander Peoples themselves. We affirm Aboriginal and Torres Strait Islander knowledge, priorities and leadership are central to creating data that upholds self-determination, protects cultural integrity and strengthens families and communities.

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We thank contributors to this report, especially Aboriginal and Torres Strait Islander community-controlled child and family peak bodies; Aboriginal and Torres Strait Islander leaders and communities; Commissioners for Aboriginal and Torres Strait Islander children and young people; and Australian, state, and territory governments.

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*Family Matters – Strong communities. Strong culture. Stronger children.* is an initiative of SNAICC.

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### **Family Matters – Strong communities.**

**Strong culture. Stronger children.** annual report tracks progress towards ensuring Aboriginal and Torres Strait Islander children and young people grow up safe, cared for and connected to their families, communities, Country and culture. The annual publication examines what governments are doing to turn the tide on the over-representation of Aboriginal and Torres Strait Islander children in child protection systems across Australia.

The report highlights Aboriginal and Torres Strait Islander-led solutions, presents evidence and recommendations and calls on governments to support and invest in the strengths of Aboriginal and Torres Strait Islander peoples to lead child wellbeing, development and safety responses.

The goal of Family Matters is for Aboriginal and Torres Strait Islander children and young people to grow up safe and cared for within their families, communities and cultures. Central to this is reducing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems and achieving Target 12 of the National Agreement on Closing the Gap; to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent by 2031.

Family Matters sets out an evidence-based roadmap with clear strategies for early support, culturally safe services and system reform so every Aboriginal and Torres Strait Islander child can live safely at home, surrounded by culture, kin and community.

Family Matters is led by SNAICC – National Voice for our Children and a group of eminent Aboriginal and Torres Strait Islander leaders from across the country who form the Family Matters Leadership Group.



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# FOREWORD: OUR CULTURE IS OUR SAFETY

**As Aboriginal and Torres Strait Islander people, we assert the right to define ourselves, represent our own stories and chart our own future, founded on the enduring strength of our cultures. This is the rights of all peoples.**

Family Matters is Australia's only annual report written from an Aboriginal and Torres Strait Islander perspective that monitors Australian governments' removal of Aboriginal and Torres Strait Islander children from their families. It reflects our unwavering commitment to self-determination and accountability for our children's lives and futures. This includes our collective right to define success, measure impact, and share the stories of our children, families and communities grounded in our ways of knowing, being and doing.

This year marks the tenth edition of Family Matters; a significant milestone in our ongoing advocacy for systems and a society that uphold the rights of our children. Over the past decade, this report has borne witness to the continued failures of child safety systems to keep our children safe and promote their lifelong wellbeing.

But Family Matters has also amplified calls from our communities for accountability and contributed to real change. It has increased transparency about our children and families' experiences in child protection systems. It has contributed to increased oversight by Aboriginal and Torres Strait Islander Children's Commissioners, including the recent appointment of the National Commissioner for Aboriginal and Torres Strait Islander Children and Young People.

But there is still a long way to go.

As peoples from the oldest living culture in the world, we know how to raise our own babies and children. Aboriginal and Torres Strait Islander families and communities have been successfully rearing our children for over 60,000 years, and this is evidenced through the intrinsic connection to kinship systems that are instilled from birth.

Yet, Australian governments continue to remove our children at unprecedented rates, marginalise our families and devalue our ways of keeping our babies and children safe. In doing so, governments compel our children to walk in a singular world imposed upon us by colonisation.

Aboriginal and Torres Strait Islander concepts of safety rest on identity, connection, relationship and mutuality (Dudgeon et al, 2014; Rigney et al, 2022; AHRC, 2024). For our children, culture is fundamental to development; cultural continuity is optimal for supporting children to thrive. Yet, while Aboriginal and Torres Strait Islander children have been at the forefront of policy debates, governments have repeatedly failed to engage with this evidence in their system and practice reforms. They fail to recognise that connection and cultural continuity, rather than control or 'risk management', is the pathway to safety for children, families and communities.

In 2023-24 across Australia, Aboriginal and Torres Strait Islander children were 9.6 times more likely to be in out-of-home care and on third-party parental responsibility orders, a 0.5% increase from 2022-23 (AIHW 2025, Table T3).

Family Matters highlights the urgent need for holistic, culturally safe support services long before families come into contact with child protection systems. Without action on the underlying causes of intervention, like poverty, housing insecurity, racism and exclusion from services, and improved supports for families experiencing crisis, little will change.

Two years after the 2023 Indigenous Voice referendum, many Aboriginal and Torres Strait Islander people are carrying grief and exhaustion. But we're also carrying fire for justice for our children, families and communities.



There is a growing and unacceptable gap between the rhetoric of reform and the reality on the ground for Aboriginal and Torres Strait Islander children: we need action, accountability and genuine partnerships with our communities.

Our culture is the pathway to our children's safety and enduring justice for our community.

*Our children deserve to be seen for all that they are: strong, loved and full of potential.*



Catherine Liddle



Dr. Paul Gray

Co-Chairs  
National Family Matters Leadership Group



# INTRODUCTION

**The Family Matters Report (Family Matters) is an annual publication that tracks progress towards ensuring Aboriginal and Torres Strait Islander children and young people grow up safe, cared for, and connected to their families, communities and culture. A key goal is to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care (OOHC) by 2040.**

Family Matters is led by SNAICC – National Voice for our Children (SNAICC) and a group of eminent Aboriginal and Torres Strait Islander leaders from across the country who form the Family Matters Leadership Group.

Family Matters is a powerful tool in policy and practice reform conversations through centring the lives and experiences of Aboriginal and Torres Strait Islander children and families. It brings visibility to the systemic challenges facing our families, evaluates government actions and holds them accountable for their commitments. Additionally, the report showcases programs and initiatives that reflect the strengths, resilience and cultural richness of our communities, while calling for increased government support and sustained investment in community-led solutions.

The report aligns with the **Family Matters Roadmap** (*available separately on the SNAICC website*). The Family Matters Roadmap identifies four interrelated building blocks, underpinned by evidence, ethics and human rights. These **Building Blocks** (*outlined right*) underpin the goals and recommendations of Family Matters and are referred to and reflected throughout the report.

The Building Blocks are a framework grounded in lived experience and developed by Aboriginal and Torres Strait Islander peoples. They reflect what Aboriginal and Torres Strait Islander communities have consistently identified as essential to keeping children safe: strong culture, strong families and strong self-determination.



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



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



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



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

The Family Matters Report 2025 (Family Matters 2025) presents and interprets data related to Aboriginal and Torres Strait Islander children and families from our perspective, challenging government interpretations and systemic biases. It calls out the over-reliance on punitive responses, the chronic underfunding of prevention and early intervention, and the failure to uphold the rights of our children.



# Structure of the report

## Overview

Family Matters 2025 is structured in three main sections, preceded by the **Family Matters Report Card**, which provides a traffic light assessment of the progress made by each state and territory to implement the Family Matters Building Blocks. Examples of innovative and effective community-driven initiatives, and of organisations leading transformative change, are featured throughout the report, showcasing culturally grounded programs that strengthen families and communities.

## PART 1: Indicators and trends – Telling the truth about responses to safety concerns for Aboriginal and Torres Strait Islander children

Part 1 of Family Matters 2025 presents current data on Aboriginal and Torres Strait Islander children and families, essential for understanding the scope of challenges and the changes needed for our children to grow up safe and well in their families and communities. It includes:

- detailed information on departmental intervention in the lives of Aboriginal and Torres Strait Islander families, including forward projections on over-representation over the next decade if existing trends and conditions persist,
- descriptions of available child protection data provided by state and territory governments, and identification of key data gaps,
- analysis of the structural factors contributing to high levels of contact with and disproportionate intervention by the child protection system, such as trauma, systemic racism, socioeconomic disadvantage, housing instability, family violence, disability support access and substance use, and
- examination of barriers to service engagement and availability in the sectors prioritised for addressing issues affecting children's development, wellbeing and safety.

## PART 2: The year in review

Part 2 of Family Matters 2025 provides an overview of significant legislative, policy, programmatic, practice and system-level developments over the past year across states and territories, and the Commonwealth. It covers:

- information provided by governments on their efforts to reduce over-representation in legislation, policy and practice,
- insights of Aboriginal and Torres Strait Islander community and sector leaders on government efforts to reduce the over-representation of Aboriginal and Torres Strait Islander children in OOHC,
- the perspectives of independent Commissioners for Aboriginal and Torres Strait Islander children and young people (in jurisdictions where such positions exist), and
- a summary of national policy advancements.

## PART 3: Conclusion and recommendations

Family Matters 2025 concludes with a series of long-standing recommendations under each of the Family Matters Building Blocks. These recommendations are designed to address systemic issues and promote positive change, and are consistent with key national frameworks, including the *National Agreement on Closing the Gap*, and its Priority Reforms, and *Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031* (Safe and Supported), as well as Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023–2026 and Safe and Supported: Theory of Change.

The recommendations of Family Matters focus on implementing systemic reforms and supporting community-led solutions for Aboriginal and Torres Strait Islander children and families. Implementation of these recommendations supports the transformation of systems to better align with the cultural values, expectations and inherent authority of Aboriginal and Torres Strait Islander peoples, in a manner grounded in self-determination and accountability. It is crucial that governments, in partnership with Aboriginal and Torres Strait Islander peoples, implement the recommendations of this Report to ensure that our children grow up safe and cared for in family, community and culture, and connected to their languages and Country.



# SUMMARY OF RECOMMENDATIONS

## BUILDING BLOCK 1

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

1. Increase the availability of universal and targeted prevention and early intervention support by:
  - a) increasing investment in prevention and early intervention support programs delivered by ACCOs, and
  - b) setting targets for the percentage of family support and intensive family support services funding directed to ACCOs in each jurisdiction and each region to be equivalent to the representation of Aboriginal and Torres Strait Islander children in child protection services, including annual targets and reporting to reflect ongoing progress towards this goal.
2. The Australian Government should commit to leading the design and implementation of a national, systematic and sustainable approach to funding ACCO-led integrated early years services, with a focus on ensuring equitable access and coverage across the country.
3. Develop and resource a joint state- and Commonwealth-funded national program for ACCO-led integrated family support services.

## BUILDING BLOCK 2

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

4. Develop Aboriginal and Torres Strait Islander-led investment and commissioning processes to better enable the sustainable implementation of Aboriginal and Torres Strait Islander service models and programs, supported by a growing community-led evidence base, including targets for the proportion of funding for child protection and family support services directed towards ACCOs to be equivalent to the proportion of Aboriginal and Torres Strait Islander children involved in child protection systems in each jurisdiction and each region.
5. Establish, resource and support independent ACCO-led Aboriginal and Torres Strait Islander family-led decision-making models in every state and territory, and across all regions, supported by legislation, for all families across all significant child protection decision-making points.
6. Expand and appropriately resource the transfer of authority to Aboriginal and Torres Strait Islander community-controlled organisations for early intervention and statutory child protection functions across Australia, ensuring ACCOs are fully resourced to perform statutory roles.
7. Develop community-based, youth-led models for participation of children and young people in matters that affect them, as part of mechanisms for partnership and shared decision-making with Aboriginal and Torres Strait Islander communities.



## BUILDING BLOCK 3

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

- 8. Safeguard Aboriginal and Torres Strait Islander children from the imposition of inappropriate and potentially harmful permanent orders in the OOHC system, by:**
  - a) ending the adoption of Aboriginal and Torres Strait Islander children from OOHC, and
  - b) requiring, through legislation, that all permanent care orders must be approved by a relevant ACCO authorised by the child's community, and enabling Aboriginal and Torres Strait Islander communities to formulate and administer alternative, culturally safe frameworks that promote stability and permanency for their children, according to the perspectives, expectations and aspirations of Aboriginal and Torres Strait Islander communities.
- 9. Establish national standards to ensure family support and child protection legislation, policy, and practices require compliance with all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle to the standard of active efforts, including:**
  - a) nationally consistent standards for implementation of the Child Placement Principle to the standard of active efforts and linked jurisdictional reporting requirements under Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031,
  - b) increased representation of Aboriginal and Torres Strait Islander families, children and communities at each stage of the decision-making process, including through independent Aboriginal and Torres Strait Islander family-led decision-making in every jurisdiction,
  - c) comprehensive, active and dedicated efforts to guarantee all Aboriginal and Torres Strait Islander children in out-of-home care enjoy meaningful connections to family, community and culture, through cultural support planning, identifying and engaging families and kin, return to Country programs, and kinship care support, and
  - d) reform of legislative barriers that inhibit or restrict self-determination, in line with the Child Placement Principle; this is inclusive of the recognition of Aboriginal and Torres Strait Islander legal frameworks.
- 10. Increase investment in reunification services to ensure Aboriginal and Torres Strait Islander children are not spending longer in out-of-home care than is necessary due to inadequate planning and support for parents, and increase investment in support services for families once children are returned to support sustained reunification outcomes for children and families.**
- 11. Establish ongoing initiatives to improve practice, knowledge, responsiveness and accountability to Aboriginal and Torres Strait Islander people in government agencies, in accordance with Priority Reform 3 under the National Agreement on Closing the Gap, including:**
  - a) applying the Family Matters Reflective Practice Tool<sup>1</sup> on a regular basis to assess agencies' progress with regard to cultural safety, support for shared decision-making and self-determination, staff capability and safe and effective practice with Aboriginal and Torres Strait Islander children and families,
  - b) identifying and eliminating racism—by assessing the capability to understand, apply and promote anti-racism,
  - c) employing Aboriginal and Torres Strait Islander people in both identified and non-identified roles at all levels,
  - d) commitment to increasing capability and practice improvement to ensure culturally safe engagement with all Aboriginal and Torres Strait Islander stakeholders, including service users, partner agencies and staff,
  - e) partnering with Aboriginal and Torres Strait Islander community-controlled organisations to engage with Aboriginal and Torres Strait Islander communities, reimagine systems and practice, deliver services, promote truth telling and ongoing healing and improve service delivery by government and non-Indigenous agencies, and
  - f) improving engagement with Aboriginal and Torres Strait Islander people with transparent feedback processes and with Aboriginal and Torres Strait Islander leadership of these processes.

#### BUILDING BLOCK 4

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

12. Establish and resource peak bodies that support and enable greater participation of Aboriginal and Torres Strait Islander people in shared decision making and partnership for policy and service design, and in the oversight of systems impacting children, in accordance with the National Agreement on Closing the Gap Priority Reform 1.
13. Establish Commissioners for Aboriginal and Torres Strait Islander Children nationally and in every state and territory, in accordance with the UN Principles relating to the Status of National Institutions, empowered by legislation and adequately resourced.
14. Establish partnerships between Aboriginal and Torres Strait Islander communities and governments to guide the design, development, interpretation and use of data relevant to Aboriginal and Torres Strait Islander children. *As a priority, we call on all jurisdictions to address data gaps identified throughout this report.*
15. Change the definition and counting rules for out-of-home care to include children on permanent care orders.

Further details on the recommendations are included in the conclusion of the Report.





# THE FAMILY MATTERS REPORT CARD 2025

## COLOUR GUIDE



Very poor

Poor

Promising/  
improving

Stronger  
practice/  
outcomes

## ABBREVIATIONS

OOHC: out-of-home care

ACCO: Aboriginal community-controlled organisation

ATSICCO: Aboriginal and Torres Strait Islander community-controlled organisation

ATSCIPP: Aboriginal and Torres Strait Islander Child Placement Principle

AEDC: Australian Early Development Census

CTG: National Agreement on Closing the Gap

FGC: Family Group Conferencing

TPPRO: Third-party parental responsibility order

The Report Card provides a traffic light assessment of the progress made to implement the Family Matters building blocks in each state and territory.

References to Aboriginal people in the Report Card respectfully refer to Aboriginal and Torres Strait Islander peoples.

Data in the Report Card and throughout the report is from the financial year 2023-24, except where otherwise indicated.

The methodology of the report card is outlined in Appendix B.

Headline indicator Over-representation in OOHC + TPPRO (rate)	BUILDING BLOCK 1 Universal and targeted services	BUILDING BLOCK 2 Participation, control and self-determination	BUILDING BLOCK 3 Culturally safe and responsive systems	BUILDING BLOCK 4 Accountability
NSW 9.2	<ul style="list-style-type: none"> <li>Only 13.4% of child protection expenditure on intensive and non-intensive family support in 2023-24, consistent with previous years.</li> <li>Highest number of pre-birth notification (in jurisdictions which reported this data).</li> <li>Investment of \$350 million in ACCOs over five years for family preservation, announced in May 2025.</li> </ul>	<ul style="list-style-type: none"> <li>DCJ, AbSec and ALS signed a Partnership Agreement in May 2025 to design, implement and evaluate the policies, practices, procedures and assessment frameworks governing statutory child protection assessment and decision-making.</li> <li>Greater effort is required by DCJ to engage in genuine partnership with ACCOs – stringent contracting requirements are undermining ACCOs' ability to respond to their communities.</li> </ul>	<ul style="list-style-type: none"> <li>Lowest reunification rate nationally (2%).</li> <li>34% of Aboriginal children in OOHC were placed with Aboriginal relatives or kin, compared to 33.2% in 2023.</li> <li>The NSW Minister for Families, Communities and Disability Services has committed to setting up a restoration taskforce to support the safe return of Aboriginal and Torres Strait Islander children to their families.</li> </ul>	<ul style="list-style-type: none"> <li>No dedicated Commissioner for Aboriginal Children and Young People and no plans to establish this role.</li> <li>Ministerial Aboriginal Partnership Group provides limited opportunity for shared decision-making.</li> </ul>
VIC 15.6	<ul style="list-style-type: none"> <li>Highest rate of Aboriginal children in OOHC or on TPPRO on 30 June 2024 (105.9 per 1,000).</li> <li>Highest rate of over-representation of Aboriginal children in OOHC, including infants.</li> <li>Second highest proportion of expenditure on family support and intensive family support (27%).</li> <li>Victorian ACCOs welcomed the expansion of Aboriginal-led prevention and early intervention to a statewide program.</li> </ul>	<ul style="list-style-type: none"> <li>The 2025-26 State Budget provided \$24.9 million over four years to advance self-determined, Aboriginal-led child and family services, on top of a \$140 million commitment over four years in the previous budget.</li> <li>Two ACCOs, under the Aboriginal-led Community Protecting Boorais pilots, are conducting investigations.</li> <li>64.8% of Aboriginal children commencing Intensive Family Support Services commenced services with ACCOs.</li> <li>Highest rate of expenditure on ACCOs at 8.02% of total child protection funding.</li> </ul>	<ul style="list-style-type: none"> <li>Highest proportion of Aboriginal children in OOHC living with Aboriginal relatives or kin at 41.8%.</li> <li>Lowest rate of Aboriginal placement in residential care at 4.3%.</li> <li>Highest reunification rate (24%), but investment in prevention remains low.</li> <li>Amendments to the <i>Children, Youth and Families Act 2005</i> (Vic) recognised that Aboriginal people are best placed to make decisions and deliver services which protect the best interests of Aboriginal children.</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated Commissioner for Aboriginal Children and Young People, but the role is not legislated.</li> <li>Ongoing partnership with ACCOs through the ACF and Wungurilwil Gapgapduir but a lack of adequate resourcing to ACCOs.</li> <li>A monitoring approach for both the Statement of Recognition and Wungurilwil Gapgapduir is in development to support implementation and oversight.</li> </ul>
QLD 8.6	<ul style="list-style-type: none"> <li>Queensland is the only state where the proportion of Aboriginal children in OOHC for five years or more did not increase between 2020 and 2024.</li> <li>70% of Intensive Family Support Services and 38% of Family Support Services are delivered by ACCOs, despite being underfunded.</li> <li>Second lowest proportion of expenditure on family support and intensive family support (10.4%).</li> <li>Expanded access to prevention and early intervention services, including through 36 Aboriginal and Torres Strait Islander Family Wellbeing Services.</li> </ul>	<ul style="list-style-type: none"> <li>Partnering with Aboriginal peoples is limited to mechanisms such as the internal First Nations Council.</li> <li>The Queensland First Children and Families Board has been in a state of uncertainty since the change of government.</li> <li>Delegated Authority has expanded significantly, now encompassing 19 service responses across 25 child safety service centres delivered by 14 ACCOs.</li> <li>Many organisations are under-resourced to manage the demands of programs such as the Family Participation Program and Family Wellbeing Services.</li> <li>70.5% of Aboriginal children commencing IFSSs commenced services with ACCOs.</li> </ul>	<ul style="list-style-type: none"> <li>Highest rate of Aboriginal placement in residential care at 18%.</li> <li>Co-designing and implementing a new kinship care model, Family Caring for Family, with the ACCO sector, but barriers remain to Aboriginal people becoming kinship carers.</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated Commissioner for Aboriginal Children and Young People, but the role is not separately legislated.</li> <li>Since the election of the new Liberal Government in Queensland, there has been ongoing discussion regarding the future of <i>Our Way and Breaking Cycles</i>. DFSDSCS has advised that government remains committed to <i>Our Way</i>, but that a revision and update of the strategy is needed in light of the 2024 change of state government.</li> </ul>
WA 17.8	<ul style="list-style-type: none"> <li>Highest over-representation of Aboriginal children receiving child protection services.</li> <li>Lowest proportion of expenditure on Family Support Services and Intensive Family Support Services (4.4%).</li> <li>Commitment to commissioning of new services and redirection of funding to the ACCO sector to support Aboriginal children and families.</li> </ul>	<ul style="list-style-type: none"> <li>WA Government, ACCOs delivering OOHC services and the Noongar Family Safety and Wellbeing Council co-designed a Family Carer Management Pilot, which empowers ACCOs to lead the recruitment, assessment and management of Family Carers.</li> <li>The Aboriginal Representative Organisations program has grown to include an additional five ACCOs.</li> <li>Communities is developing a Commissioning Framework in partnership with CASWA and the ACCO sector.</li> </ul>	<ul style="list-style-type: none"> <li>A concerning rate of Aboriginal placement in residential care at 11.4%.</li> <li>Community concern about ensuring connection with family, culture and Country for Aboriginal children in care; significant concerns with the quality and transparency of cultural support plans.</li> <li>Government has committed to support culturally safe and responsive systems and services through the Aboriginal Cultural Framework 2024–2034 and accompanying Implementation Plan One 2024–2026.</li> <li>New culturally responsive revisions to WA's Signs of Safety Child Protection Practice Framework.</li> </ul>	<ul style="list-style-type: none"> <li>No dedicated Commissioner for Aboriginal Children and Young People.</li> <li>No work towards an Aboriginal peak body specifically for children and families.</li> <li>Failure to adopt, release and implement the 10-Year Roadmap to reduce the over-representation of Aboriginal children in OOHC in WA, designed in partnership with communities in 2023.</li> <li>The Advocate for Children in Care currently sits within the Department of Communities and lacks sufficient independence to rigorously monitor OOHC and hold government accountable.</li> </ul>
SA 10.1	<ul style="list-style-type: none"> <li>Second highest rate of Aboriginal children in OOHC or TPPRO (86.8 per 1,000).</li> <li>Third lowest proportion of expenditure on Family Support and Intensive Family Support (12%).</li> <li>Piloting a new self-referral pathway to Intensive Family Support Services with an initial focus on Aboriginal families seeking help.</li> </ul>	<ul style="list-style-type: none"> <li>Work is underway to co-design a dedicated ACCO Procurement and Investment Strategy.</li> <li>DHS is developing the Cooperative Dialogue Approach to commissioning, which involves ACCO and ACCHOs in a joint decision-making process.</li> <li>Ongoing partnership with Wakwakurna Kanyini and SAACCON, but a lack of adequate resourcing to ACCOs.</li> <li>Second highest rate of expenditure on ACCOs, at 5.5% of total child protection funding.</li> <li>\$13.4 million investment to expand Family Group Conferencing – although it remains unclear the proportion of this investment that will be directed to ACCOs.</li> </ul>	<ul style="list-style-type: none"> <li>Low reunification rate at 3.9%.</li> <li>High rate of Aboriginal placement in residential care at 16.3%.</li> <li>High proportion of Aboriginal children in OOHC living with Aboriginal or non-Indigenous relatives or kin at 55.9%.</li> <li>Current review of Structured Decision Making tools used in child protection.</li> </ul>	<ul style="list-style-type: none"> <li>The introduction of South Australia's new <i>Children and Young People (Safety and Support) Act 2025</i> (SA) embedded the Child Placement Principle, but there were missed opportunities for greater accountability.</li> <li>Fully legislated independent Commissioner for Aboriginal Children and Young People.</li> <li>Child Protection Subcommittee under the South Australian Partnership Committee on Closing the Gap.</li> </ul>
TAS 5.4	<ul style="list-style-type: none"> <li>Lowest over-representation of Aboriginal children in OOHC.</li> <li>Only 2.3% of Family Support Service funding and 3.3% of Intensive Family Support Service funding is directed to ACCOs – the lowest among jurisdictions reporting on this data.</li> <li>Reported high investment in intensive and non-intensive Family Support Services (24.3%) but this is inflated due to family violence counselling services included in expenditure figures.</li> </ul>	<ul style="list-style-type: none"> <li>In May 2025, the Tasmanian Aboriginal Centre launched the Tirrina Model for Keeping Aboriginal Children Safe and the Nukara Strategy to shift how safety, care and wellbeing are defined, led and sustained by Aboriginal communities in Lutruwita/Tasmania.</li> <li>The 2024 Sure Start Action Plan supports interagency care team approaches and priority access to services for children in OOHC.</li> <li>Only 0.8% of total child protection funding is invested in ACCOs.</li> <li>No Aboriginal-led AFLDM or FGC programs.</li> </ul>	<ul style="list-style-type: none"> <li>Second highest proportion of Aboriginal children in OOHC living with non-Indigenous non-relatives at 48.4%.</li> <li>The government response to the <i>Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings</i> outlines the plan to implement all 191 recommendations by 2029, including full implementation of the Aboriginal and Torres Strait Islander Child Placement Principle.</li> <li>The <i>Child and Youth Safe Organisations Act 2023</i> (Tas) enshrines the principle of cultural safety, but the absence of an Aboriginal Regulator or Deputy Regulator leaves a gap in oversight and cultural authority.</li> </ul>	<ul style="list-style-type: none"> <li>Legislative amendments are progressing to establish a Commissioner for Aboriginal Children and Young People and to embed cultural safety and shared decision-making in child protection, youth justice and education laws.</li> <li>DECYP provided \$1.5 million to Tasmanian Aboriginal Centre to develop the Nukara Strategy, as part of the Closing the Gap Capacity Building Initiative but has not confirmed funding for beyond 2022-23.</li> </ul>
ACT 12.6	<ul style="list-style-type: none"> <li>Highest rate of Aboriginal children continuously in OOHC for five or more years (58.4%).</li> <li>Slight increase in the proportion of expenditure on Family Support and Intensive Family Support to 17% in 2023-24.</li> </ul>	<ul style="list-style-type: none"> <li>ACCO Establishment and Expansion Fund and infrastructure support local ACCOs.</li> <li>At a practice level, oversight of cultural care plans has been expanded to enable greater community involvement in their development.</li> </ul>	<ul style="list-style-type: none"> <li>Low reunification rate (3.3%).</li> <li>Raised the minimum age of criminal responsibility to 14 years.</li> <li>Legislative changes that mandate culturally appropriate placement decisions.</li> </ul>	<ul style="list-style-type: none"> <li>Partnership Agreement with the Our Booris Our Way Implementation Oversight Committee.</li> <li>The appointment of the inaugural legislated Aboriginal and Torres Strait Islander Children and Young People Commissioner in early 2024 was a welcome achievement and a strong step towards enhanced accountability.</li> <li>Notable improvements in the availability of data.</li> </ul>
NT 11.1	<ul style="list-style-type: none"> <li>Lowest rate of Aboriginal children in OOHC or on TPPROs on 30 June 2024 (29.9 per 1,000).</li> <li>Increasing proportion of expenditure on intensive and non-intensive family support (36.2%).</li> <li>29.8% of Family Support Service funding and 0% of Intensive Family Support Service funding is directed to ACCOs.</li> </ul>	<ul style="list-style-type: none"> <li>Nine Aboriginal-led Child and Family Centres have been established or are in progress through Local Decision-Making processes (although, at risk of expiry without renewal).</li> <li>Reported barriers to accessing culturally specific legal services for children and young people in child protection proceedings.</li> <li>No funded AFLDM program to involve families in child protection decision-making.</li> <li>Programs like Circuit Breaker are largely government-controlled and not reflective of Aboriginal self-determination or accountability.</li> </ul>	<ul style="list-style-type: none"> <li>Highest proportion of Aboriginal children in OOHC living with non-Indigenous non-relatives at 74.3%.</li> <li>Lowest proportion of Aboriginal children living with Aboriginal relatives or kin at 16.7%.</li> <li>At 30 June 2024, purchased home-based care (PHBC) accounted for 45% of all OOHC placements.</li> <li>PHBC received \$34.9 million from the NTG, compared to just \$4.1 million for kinship services.</li> <li>DCF is implementing the Aboriginal Cultural Security Framework, with training to support staff.</li> </ul>	<ul style="list-style-type: none"> <li>No dedicated Commissioner for Aboriginal children and young people, and no plans to establish this role.</li> <li>No independent and legislated peak body for Aboriginal families and Children.</li> <li>Lack of consultation with ACCOs by NTG when amending the <i>Care and Protection of Children Act 2007</i> (NT).</li> <li>The discontinuation of the 10-Year Generational Strategy for Children and Families has undermined the NTG's commitment to accountability to community.</li> </ul>

Data: AIHW 2025. Note: In this table, references to Aboriginal people respectfully refer to Aboriginal and Torres Strait Islander peoples.



## PART 1

# INDICATORS AND TRENDS – TELLING THE TRUTH ABOUT RESPONSES TO SAFETY CONCERN FOR ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN

## ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN TODAY – RECENT DEMOGRAPHIC INSIGHTS

In 2024, the estimated national population of Aboriginal and Torres Strait Islander children aged 0 to 17 was 382,685, representing 6.8% of Australia's total child population.

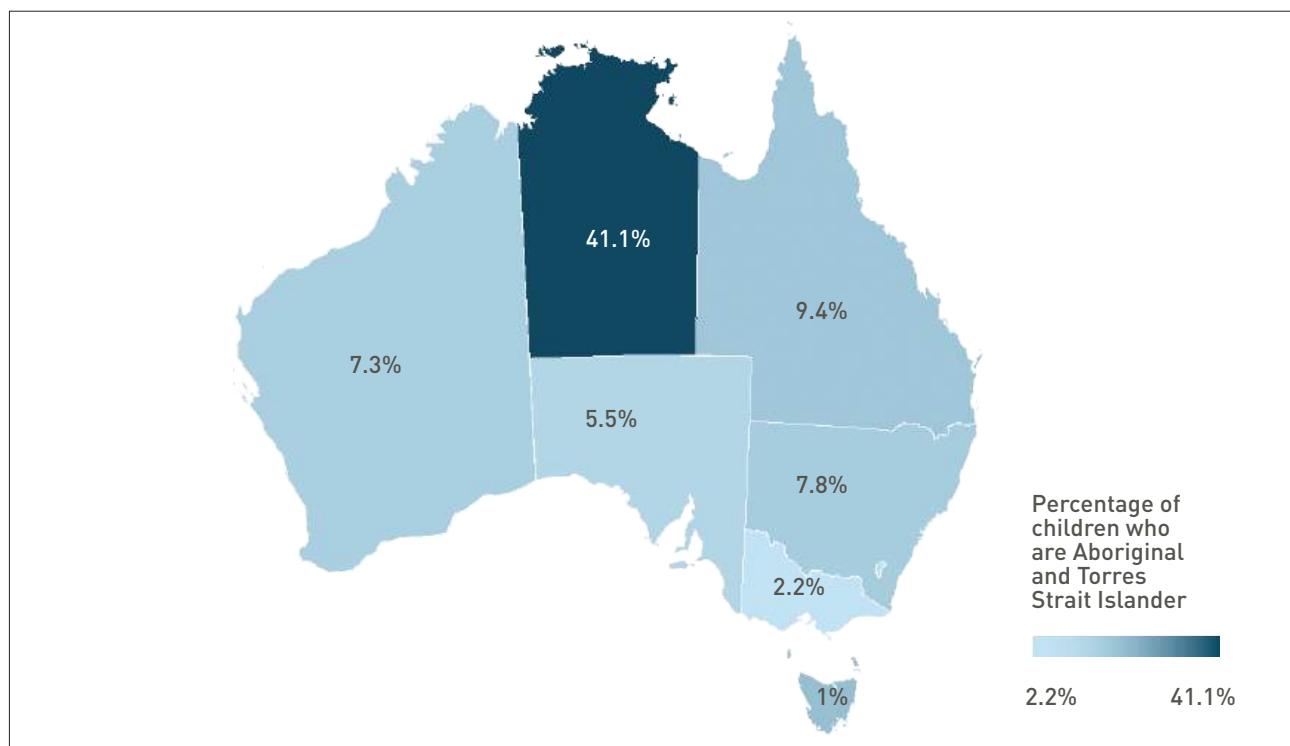
The highest number of Aboriginal and Torres Strait Islander children lived in New South Wales (NSW) (35.3% of all Aboriginal and Torres Strait Islander children), followed by Queensland (Qld) (28.5% of all Aboriginal and Torres Strait Islander children) and Western Australia (WA) (11.9% of all Aboriginal and Torres Strait Islander children).

Approximately 6.8% of all Aboriginal and Torres Strait Islander children live in the Northern Territory (NT), which has by far the highest proportion of Aboriginal and Torres Strait Islander children relative to the total child population (41.9%) (AIHW 2025, Table P4).

In 2021, the majority of Aboriginal and Torres Strait Islander children and young people aged 0-19 (86.2%) lived in non-remote areas (297,429, compared with 46,219 in remote and very remote areas) (ABS 2021a, Table 5). They were less likely to live in remote locations than they were in 2011 as, between 2011 and 2021, the proportion of Aboriginal and Torres Strait Islander children and young people aged 0-19 living in major cities increased by seven per cent (7%) while the proportion living in very remote areas decreased by five per cent (5%) (ABS 2021a Tables 3 and 5).

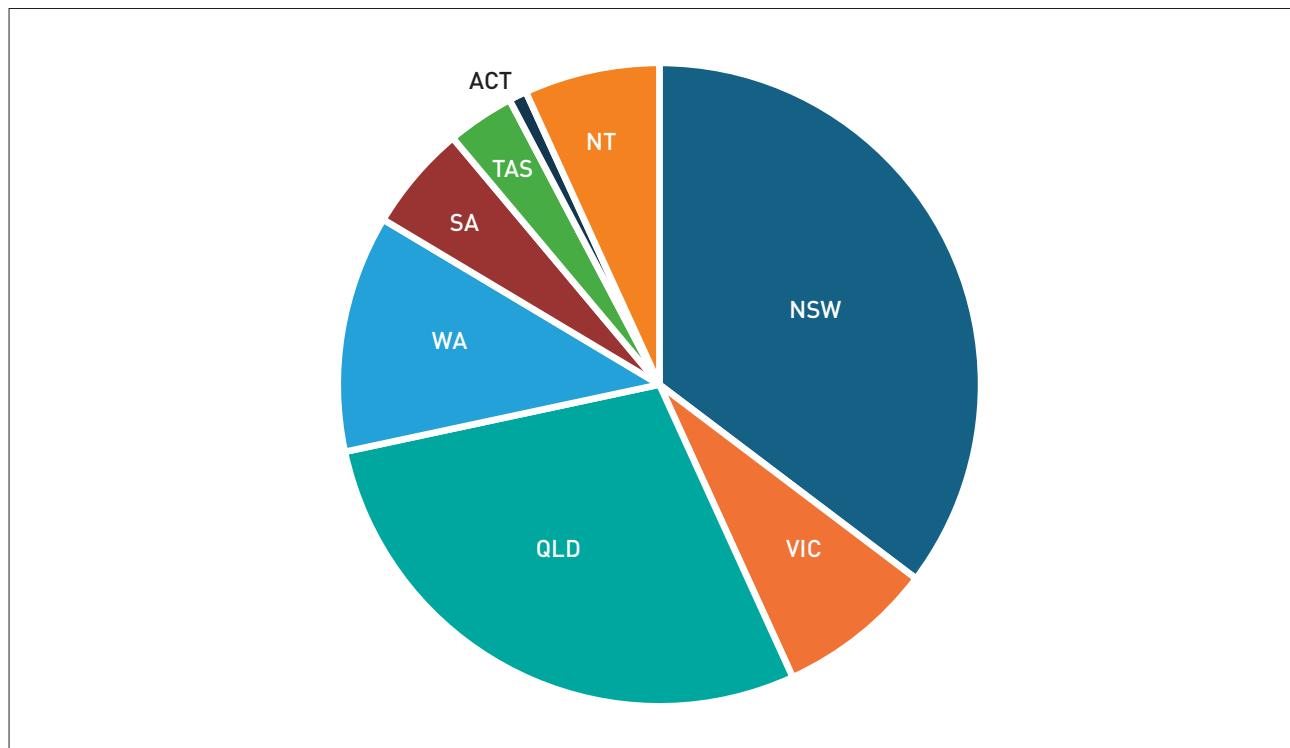


FIGURE 1: Aboriginal and Torres Strait Islander child population by jurisdiction, as at 30 June 2024



Source: Australian Institute of Health and Welfare (AIHW) Child protection Australia 2023–2024 Table P4.

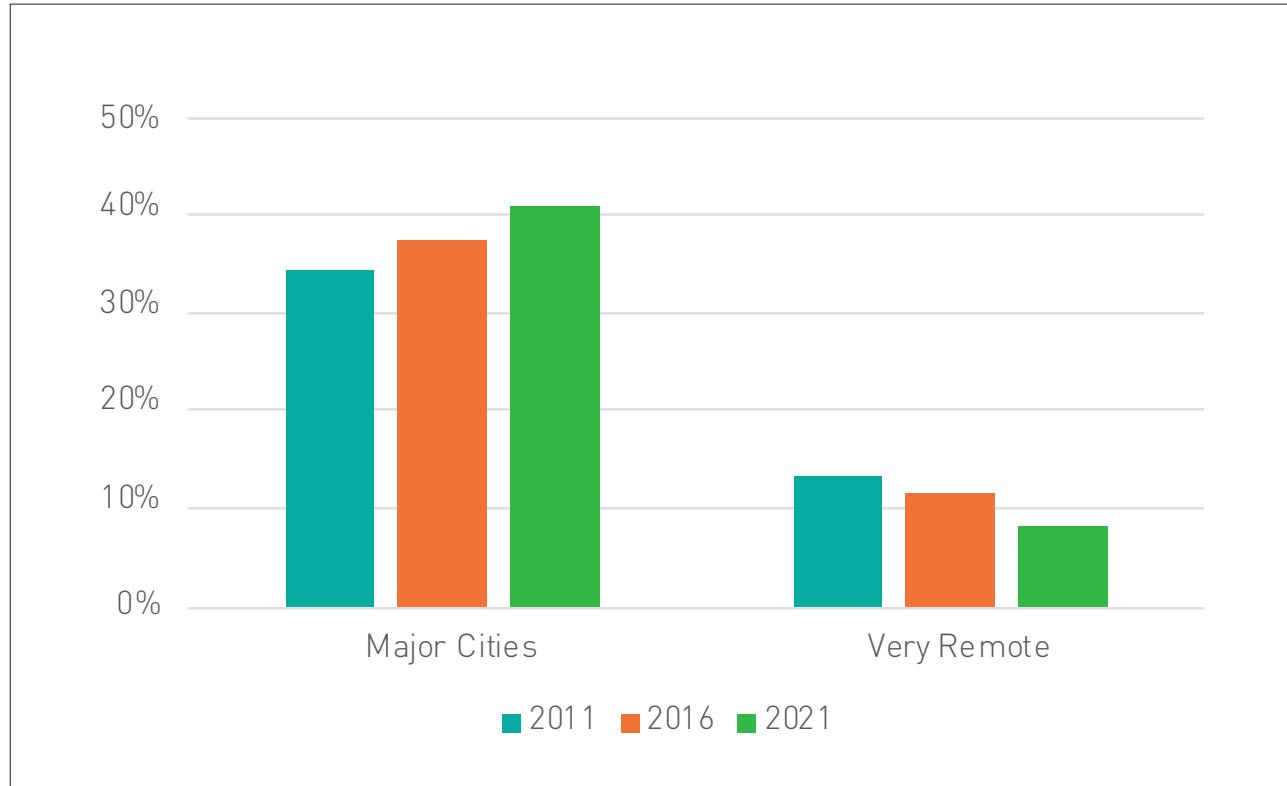
FIGURE 2: Distribution of Aboriginal and Torres Strait Islander children aged 0-17 by jurisdiction, as at 30 June 2024



Source: AIHW Child protection Australia 2023–2024 Table P4.



FIGURE 3: Distribution of Aboriginal and Torres Strait Islander children and young people (0-19) in major cities and very remote areas over time (2011–2021)



Source: Census of Population and Housing – Counts of Aboriginal and Torres Strait Islander Australians, 2021, Tables 3, 4 and 5.

## 1.1 Responses to child safety concerns

### OVER-REPRESENTATION IN CHILD PROTECTION SYSTEMS

Aboriginal and Torres Strait Islander children are disproportionately represented at all stages of child protection systems in all states and territories (AIHW 2025). This reality, a consequence of 237 years of colonisation and harmful policies which have fragmented Aboriginal and Torres Strait Islander families and communities, has impacts beyond statistics. Each removal is a rupture in kinship that is felt through generations, disrupting cultural and Country connections and compounding intergenerational trauma.

The Family Matters Report (Family Matters) uses the phrase 'over-representation' to highlight the disparity in outcomes between Aboriginal and Torres Strait Islander children and non-Indigenous children. This is often expressed as 'rate ratios', 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.

These rate ratios are different to the Productivity Commission's reporting on Target 12 of the National Agreement on Closing the Gap (Closing the Gap), which uses the rate (per 1000) of children in out-of-home care (OOHC). While both metrics are valuable, they serve distinct purposes. Rate ratios expose the extent of difference in the experiences and impacts of systems for Aboriginal and Torres Strait Islander children compared to non-Indigenous children and can indicate systemic bias and unaddressed need for Aboriginal and Torres Strait Islander families. The 'absolute rate' used in Closing the Gap Target 12 reflects regression or progress in reducing the overall proportion of Aboriginal and Torres Strait Islander children in OOHC, i.e. measuring how many children are being removed as a percentage of the child population.

The figures in this report relating to OOHC may differ from those reported in other sources, due to differences in definitions. Family Matters 2025 includes children on long-term third-party parental responsibility orders (TPPROs) in the OOHC count. In contrast, the definition of OOHC used by government agencies in Australia often excludes children on TPPROs. We are focused on the lived experience of children and young people.

Given that these children have been removed from their families by child protection authorities, SNAICC and the National Family Matters Leadership Group believe that governments must be accountable for the separation of these children from their families and, as such, they must be included in counts of the data on children in OOHC. The use of TPPROs and other orders is discussed in further detail in Part 1.2 of this report.

SNAICC advocates for the safety, rights and wellbeing of Aboriginal and Torres Strait Islander children, including the right to be safely raised within their family, community and culture, and our collective responsibility to support children and families. This includes a focus on reducing the rate of over-representation of Aboriginal and Torres Strait Islander children in the child protection system and, in doing so, works to achieve Target 12 of Closing the Gap. However, the ultimate goal must be a future where families are supported so all children can live safely at home, surrounded by their culture, kin and community.

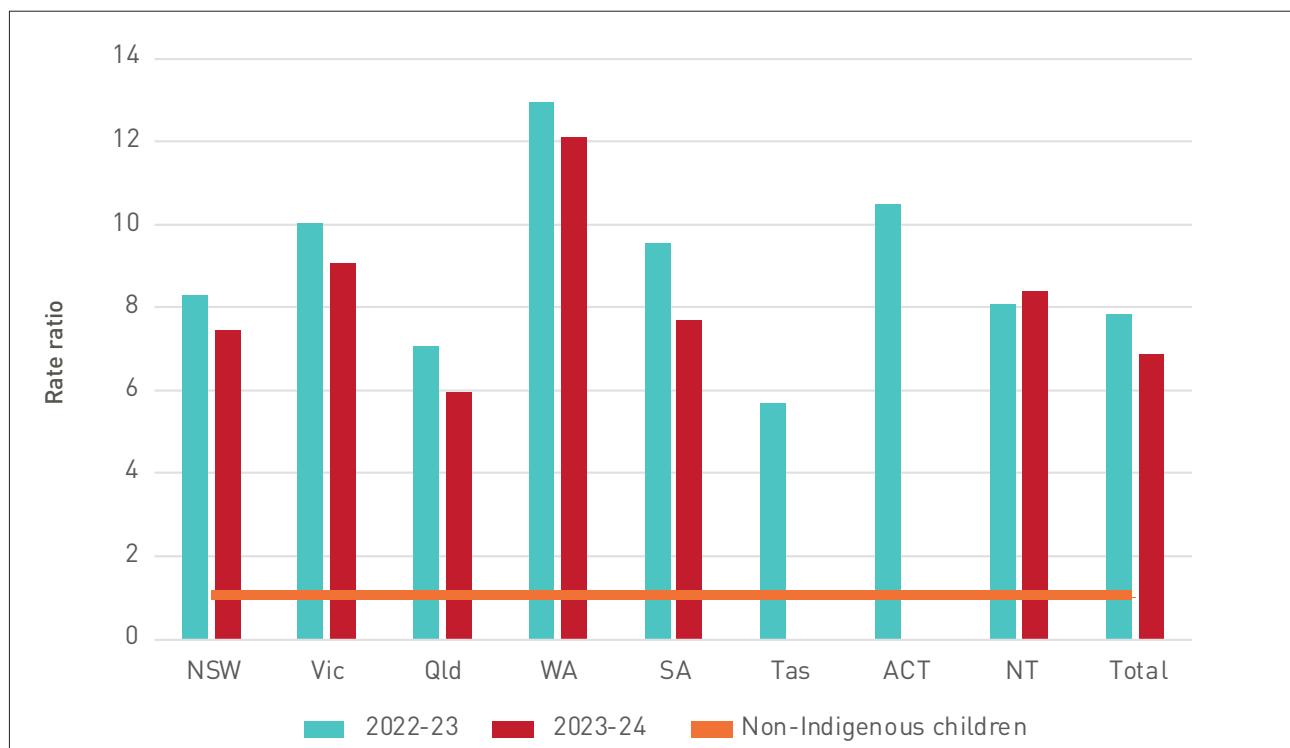
### THE EXTENT OF OVER-REPRESENTATION

Aboriginal and Torres Strait Islander children are disproportionately represented at all stages of child protection systems in all states and territories and, typically, the further involved families become in the system, the greater the over-representation (AIHW 2025, Table 3; SCRGSP 2025, Table 16A.1). Non-Indigenous children coming to the attention of child protection systems are less likely to escalate through the system to more intensive and intrusive interventions than their Aboriginal and Torres Strait Islander peers, confirming the presence of entrenched inequalities and discrimination within the child protection systems.

In 2023-24, Aboriginal and Torres Strait Islander children were significantly more likely to be receiving child protection services, including:

- 4.9 times more likely than non-Indigenous children to be reported to child protection authorities (i.e. subject to a notification)
- 5.5 times more likely to have notifications investigated
- 6.4 times more likely to have notifications substantiated
- 9.8 times more likely to be subject to a care and protection order
- 9.6 times more likely to be in OOHC and on third-party parental responsibility orders (TPPROs) (SCRGSP 2025, Tables 16A.1 and 16A.42; AIHW 2025, Table T3).

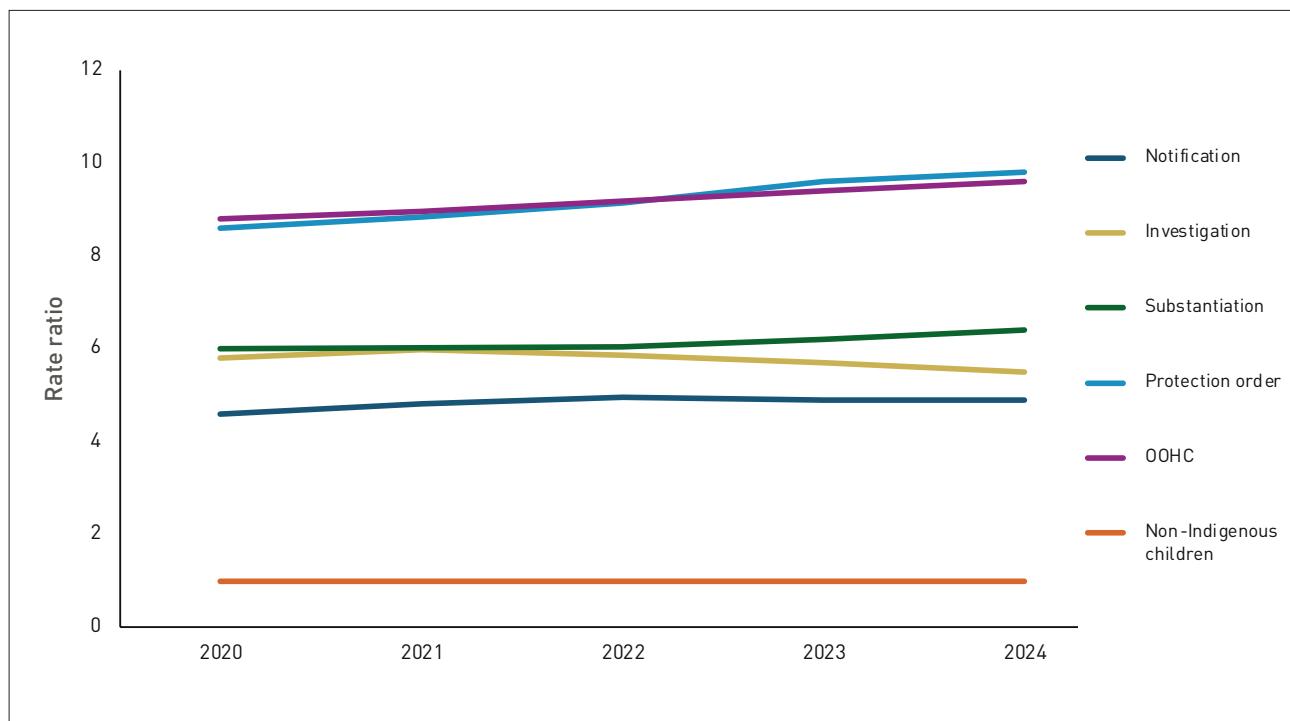
**FIGURE 4: Over-representation of Aboriginal and Torres Strait Islander children receiving child protection services, by jurisdiction (2022-23 and 2023-24)**



Source: AIHW 2024c, Tables S2.3 and P3 and AIHW 2025, Tables S2.3 and P3.

Note: As not all states and territories capture information about child protection intervention during the prenatal period, the 'unborn' category is excluded from these analyses. Children whose age was classified as 'unknown' have been included.

**FIGURE 5: Five-year trend: over-representation of Aboriginal and Torres Strait Islander children in child protection, by stage of involvement, nationally (2020-24)**



Source: SCRGSP 2025, Tables 16A.1 and 16A.42.

Note: OOHC includes children in OOHC and on TPPROs.

Figure 4 illustrates the over-representation of Aboriginal and Torres Strait Islander children receiving child protection services across Australian jurisdictions. The rate ratio compares the service contact rate for Aboriginal and Torres Strait Islander children to that of non-Indigenous children. A rate ratio greater than one (1) indicates disproportionate involvement of Aboriginal and Torres Strait Islander children receiving child protection services.

In 2024, over-representation of Aboriginal and Torres Strait Islander children slightly increased across substantiations, care and protection orders, and in OOHC and on TPPROs (SCRGSP 2025, Tables 16A.1 and 16A.42). Over-representation in notifications remained relatively the same and decreased somewhat for finalised investigations.

**TABLE 1: Five-year trend: over-representation of Aboriginal and Torres Strait Islander children in child protection by stage of involvement, nationally (2020-24)**

Aboriginal and Torres Strait Islander children					
	2020	2021	2022	2023	2024
<b>Notification</b>	4.6	4.8	5.0	4.9	4.9
<b>Investigation</b>	5.8	6.0	5.9	5.7	5.5
<b>Substantiation</b>	6.0	6.0	6.0	6.2	6.4
<b>Protection order</b>	8.6	8.8	9.1	9.6	9.8
<b>OOHC</b>	8.8	9.0	9.2	9.4	9.6
<b>Non-Indigenous children</b>	1	1	1	1	1

Source: SCRGSP 2025, Tables 16A.1 and 16A.42.

Note: OOHC includes children in OOHC and on TPPROs.

Across Australia, there has been a general pattern of a decrease in the rate of finalised investigations for both Aboriginal and Torres Strait Islander and non-Indigenous children, with some exceptions. Victoria (Vic) and South Australia (SA) stand out as outliers, showing an increase in the rate of finalised investigations for Aboriginal and Torres Strait Islander children compared with the previous year. Additionally, in Vic, the rate for non-Indigenous children fell over the same period. Notably, despite the rise in investigation rates, substantiations of harm for Aboriginal and Torres Strait Islander children declined in Vic and remained steady in South Australia.

Nationally, there has generally been a decrease in the rate of substantiations for all children, including a significant five-year drop from 37.6 per 1000 to 32.8 per 1000 for Aboriginal and Torres Strait Islander children. However, over-representation in substantiations has continued upwards due to a larger rate of decrease

for non-Indigenous children. Over-representation in substantiations was particularly high in the Australian Capital Territory (ACT), where Aboriginal and Torres Strait Islander children were 19.8 times more likely to be subject to a substantiation than non-Indigenous children.

While there are reasons to be cautiously optimistic about drops in investigations and substantiation rates, it is too early to tell if this reflects a positive change in terms of the experience of safety and wellbeing for children and young people, particularly given that drops are, generally, relatively modest and yet to be sustained over an extended period. They could reflect staffing or capacity differences, or other practice changes. For example, a reduction in investigations could reflect reduced capacity to respond to children and families potentially requiring supports or, alternatively, changes to triage processes to better direct child protection resources.

Despite reduced rates of investigation and substantiation, the rate of Aboriginal and Torres Strait Islander children in OOHC, including TPPROs, nationally has continued to rise in the last year, likely due to lower rates of reunification and longer periods of time Aboriginal and Torres Strait Islander children spend in care, as discussed later in this report. There has been variation in this trend across jurisdictions, with decreases in the rate of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs in NSW and the ACT, but increases in Vic and Qld. The rate of non-Indigenous children in OOHC, including TPPROs, has remained largely unchanged in most states and territories. OOHC is discussed in further detail in Part 1.2 of this report.

The increasing over-representation of Aboriginal and Torres Strait Islander children through successive stages of child protection involvement highlights the urgent need to prevent initial contact with the system, and to offer more timely, thorough and purposeful responses to preserve families, as well as support reunification. Without early intervention and culturally appropriate support, over-representation will remain entrenched. Rather than facilitating family preservation, child protection systems often lead to increasingly intrusive interventions into the lives of Aboriginal and Torres Strait Islander children and families.

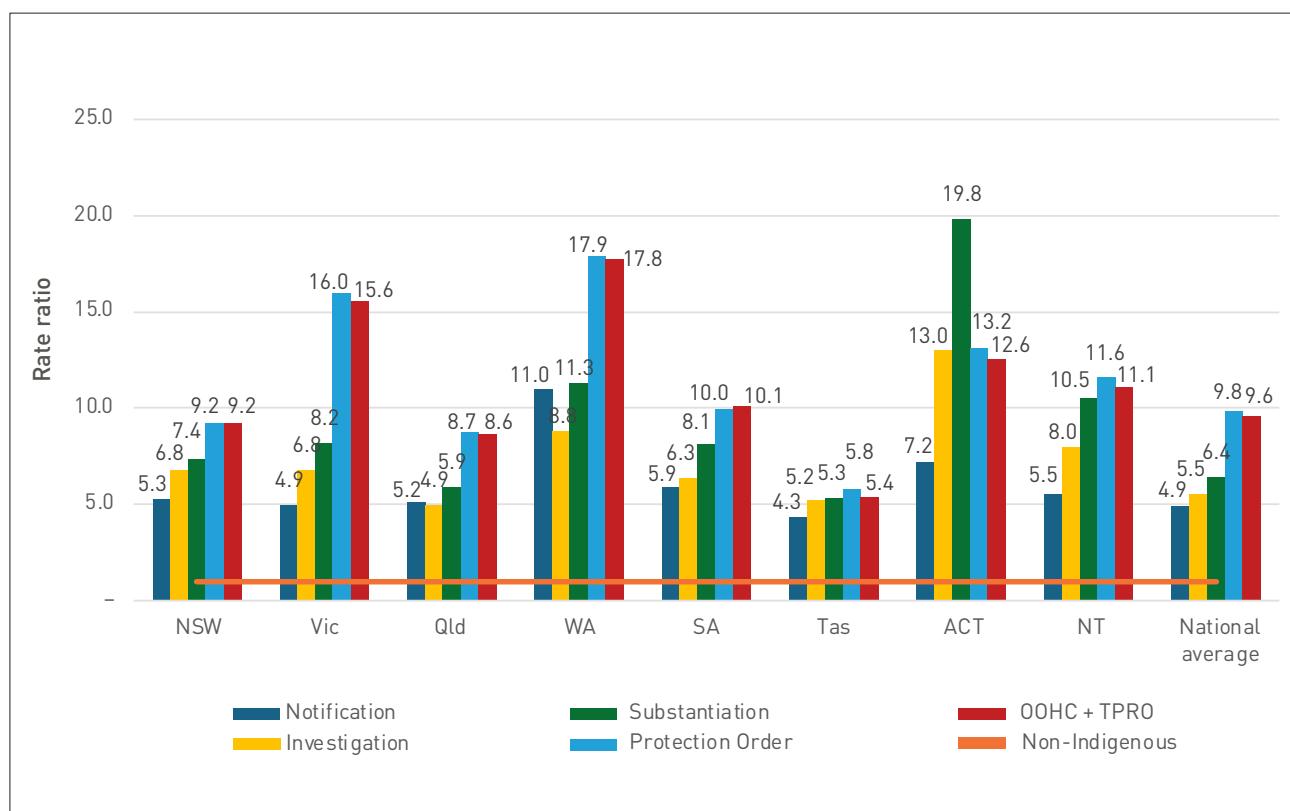
The reasons underpinning this compounding over-representation are complex and multifaceted. They are rooted in the failure of successive governments to address critical issues such as poverty, intergenerational trauma and insufficient investment in culturally safe services, and the prioritisation of non-Indigenous approaches that under-deliver for Aboriginal and Torres Strait Islander families.

The continuing over-representation also reflects deeply embedded patterns of systemic bias that are built into the structures, policies and practices of child protection systems. These biases compound across different stages of intervention, and include but are not limited to:

- oversurveillance of and intervention in the lives of Aboriginal and Torres Strait Islander families,
- racially biased reporting of children and families,
- biased decision-making tools perpetuating inequality,
- discriminatory judgments made by child protection decision-making authorities,
- child protection legislation and policy that is heavily reliant on non-Indigenous concepts, including those of family, wellbeing and best interests of the child,
- the misunderstanding and undervaluing of Aboriginal and Torres Strait Islander parenting practices, and
- failure to implement the Aboriginal and Torres Strait Islander Child Placement Principle [SNAICC 2024a; Haslam et.al. 2023; HREOC 1997; Jenkins and Tilbury 2024; Malin et al. 1996, AIHW 2025d, etc.].

These structural factors and drivers of entrenchment in child protection are discussed in more detail in Part 1.3.

**FIGURE 6: Over-representation of Aboriginal and Torres Strait Islander children in child protection systems, by stage of involvement and jurisdiction (2023-24)**



Source: SCRGSP 2025, Tables 16A.1 and 16A.42; AIHW 2025, Table T3.

Notes: Rates for OOHC include in OOHC and on TPPROs. Data for the NT needs to be interpreted with extreme caution as it has not been derived from the National Minimum Data Set and therefore is not comparable to other years or to other states/territories.



## ABORIGINAL AND TORRES STRAIT ISLANDER CHILD PLACEMENT PRINCIPLE

The Aboriginal and Torres Strait Islander Child Placement Principle (the Child Placement Principle) was established in 1984 by Aboriginal and Torres Strait Islander people to address the growing rate of Aboriginal and Torres Strait Islander children being placed in OOHC with, or adopted by, non-Indigenous people (SNAICC 2018).

The Child Placement Principle recognises the vital role of family, community, culture and Country in ensuring the safety and wellbeing of Aboriginal and Torres Strait Islander children. It affirms that Aboriginal and Torres Strait Islander communities are best placed to make decisions about their children.

The Child Placement Principle aims to:

- embed culture as central to the safety and wellbeing of Aboriginal and Torres Strait Islander children,
- uphold the rights of Aboriginal and Torres Strait Islander children, families and communities in contact with child welfare systems,
- strengthen self-determination in child protection decision-making, and
- reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection and OOHC.

The implementation of the Child Placement Principle across jurisdictions has been described as *the single most significant change affecting welfare practice since the 1970s* (HREOC, 1997, p. 379).

The Child Placement Principle is structured around five core elements: Prevention, Partnership, Participation, Placement and Connection, which together guide efforts to protect the rights of Aboriginal and Torres Strait Islander children and to maintain their connection to family, community and culture.

Although the Child Placement Principle is embedded in legislation and policy across Australian jurisdictions, implementation remains poor across the country. Implementation Reviews led by SNAICC hold governments accountable for their efforts to implement the Child Placement Principle in full and continue to identify significant shortfalls in practice. These reviews find that jurisdictional adherence to the full intent of the Child Placement Principle, including making active efforts in prevention, partnership, participation and connection, is lacking.

## MISIDENTIFICATION OF ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN

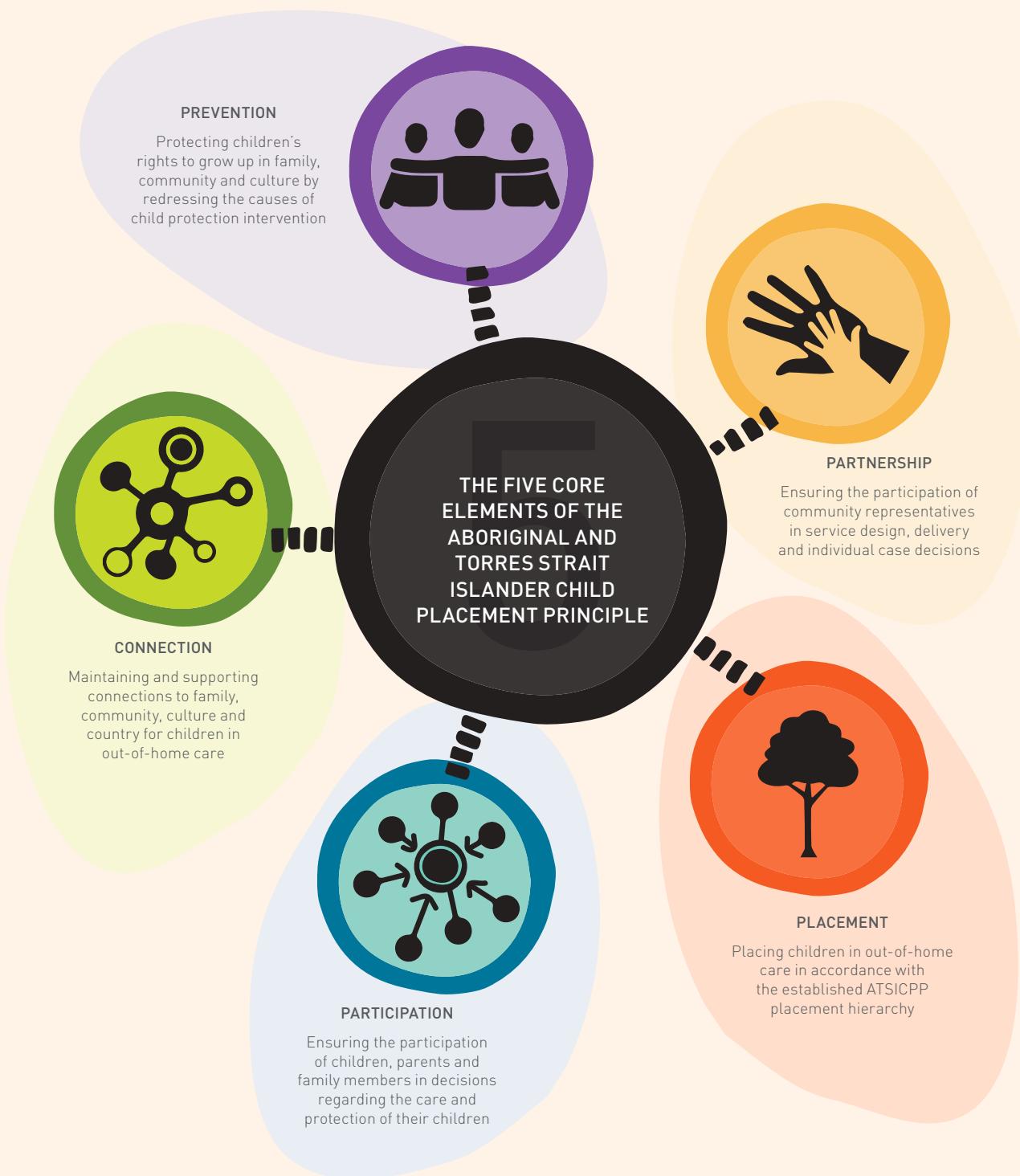
Misidentification of Aboriginal and Torres Strait Islander children occurs at all stages of child protection involvement. Inconsistent practices for the timely and accurate identification of Aboriginal and Torres Strait Islander children and families continue to act as a barrier to upholding the rights of Aboriginal and Torres Strait Islander children and young people in contact with child protection systems. This includes their right to have their culture recognised, preserved, and protected (UNCRC Article 30), and the right of Aboriginal and Torres Strait Islander peoples to determine their social and cultural development (UNDRIP Article 3), including to safeguard the rights of Aboriginal and Torres Strait Islander children. This misidentification risks depriving children of culturally safe support, appropriate case planning and placements that reflect their identity and connection to community.

When children are misidentified, data fails to accurately track their interactions with the system.

To ensure children receive appropriate support, their Aboriginal and Torres Strait Islander identity needs to be established as early as possible, and the basis for this determination needs to be recorded. We urge child protection authorities to consider this a positive obligation to properly explore and document the cultural identity of all children in a timely and ongoing way.

Many Aboriginal and Torres Strait Islander parents and children often feel uncomfortable disclosing their cultural identity due to well-founded fears of adverse treatment within the child protection system. Culturally safe approaches to discussing cultural identity with all children and families are therefore essential. These approaches help ensure Aboriginal and Torres Strait Islander children are accurately identified and that the rights of every child in contact with the child protection system are respected and upheld. Safeguards must also be in place to prevent the de-identification of Aboriginal and Torres Strait Islander children without meaningful consultation with their families, communities and representative organisations.

FIGURE 7: The five elements of the Aboriginal and Torres Strait Islander Child Placement Principle



Source: SNAICC (2017).

## NOTIFICATIONS

A notification is a formal report that can be made to a child protection authority when there is a perceived concern about a child's safety or wellbeing (AIHW 2025f). Notifications often trigger a family's first contact with the child protection system. Notifications come from a wide range of sources, including police, schools, healthcare workers, family members and neighbours, with some professionals being mandatory reporters of concern (AIHW 2025e).

Notification rates can be a useful indicator of potential areas of concern, though they need to be interpreted with caution as they often do not mean children are experiencing harm and can reflect the perceptions and biases of those making notifications. Alongside genuine safety concerns, over-surveillance and misunderstanding and undervaluing of Aboriginal and Torres Strait Islander parenting practices are also key drivers of higher rates of notifications for Aboriginal and Torres Strait Islander children (AIHW 2025d, Malin et al. 1996).

Many notifications are screened out or closed without further action, and many families may not even be aware that a notification has been made. When families are made aware of a report, it can be a cause of stigma and stress for families, especially when repeated notifications accumulate over time. Notifications resolved by means other than an investigation are not counted as children receiving a child protection service under current definitions (AIHW 2025f).

In 2023-24, Aboriginal and Torres Strait Islander children were 4.9 times more likely to be the subject of a notification to child protection than non-Indigenous children. This disparity likely reflects the greater burden of social and economic marginalisation experienced by Aboriginal and Torres Strait Islander communities, as well as factors associated with notification processes, and highlights the need for culturally responsive early intervention and community-led support systems that address concerns *before* they escalate to child protection intervention.

Between 2022-23 and 2023-24, there were notable changes in notifications in some states and territories. Table 2 shows the percentage increases or decreases in rates of notifications, **shaded in orange** where there have been changes of greater than ten (10) per cent. There was a 41% increase in the rate of notifications for Aboriginal and Torres Strait Islander children in Tasmania (Tas), alongside a 31% increase in the notification rate for non-Indigenous children. This may be indicative of a potential broader change in notification processes and/or social determinants in the state that disproportionately affects Aboriginal and Torres Strait Islander children. However, it is noted that higher variability may be linked to the smaller population compared to larger jurisdictions. Notification rates for both Aboriginal and Torres Strait Islander children and non-Indigenous children fell in the NT by 11% and 15%, respectively. Rates were relatively stable in SA and NSW.

TABLE 2: Comparison of rates of notifications for Aboriginal and Torres Strait Islander children and non-Indigenous children in 2022-23 and 2023-24, by jurisdiction

	Aboriginal and Torres Strait Islander children			Non-Indigenous children		
	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease
NSW	181.9	185.6	2%	35.9	35.3	-2%
VIC	240.8	269.7	12%	52.8	54.7	4%
QLD	87.0	96.0	10%	15.7	18.6	18%
WA	130.2	128.3	-1%	12.6	11.7	-7%
SA	260.7	260.2	0%	44.3	44.2	0%
TAS	41.8	58.8	41%	10.4	13.6	31%
ACT	318.3	343.6	8%	50.6	48.0	-5%
NT	384.8	343.4	-11%	73.8	62.4	-15%
Australia	166.9	170.7	2%	34.2	34.9	2%

Source: SCRGSP 2025, Table 16. A1.

Note: Changes that are greater than 10% are shaded in orange. Rates shown are calculated using the number of children subject to notifications, instead of total notifications (which may involve multiple notifications for one child). Data on notifications is collected very early in the child protection process and often before an agency has full knowledge of the child's family circumstances, including Aboriginal and Torres Strait Islander status.

## PRE-BIRTH NOTIFICATIONS AND OUTCOMES

Pre-birth notifications to child protection, also called unborn reports, are reports of potential harm to a baby before they are born.

The removal of babies, triggered by an unborn report, is a significant source of life-long harm and trauma for Aboriginal and Torres Strait Islander babies, children, women, families and communities (Wise and Corrales 2021). Unborn reports can contribute to expectant mothers avoiding prenatal care, not disclosing subsequent pregnancies if a child is removed and not reporting family violence for fear of child removal.

There is also a clear link between pre-birth reports and the subsequent removal of babies from families. A NSW study conducted over eight years (2006 to 2014) found that 87% of newborns admitted into care within the first seven days of life had been the subject of an unborn report (Marsh et al. 2017). In Vic in 2021, over one quarter (28.4%) of Aboriginal and Torres Strait Islander babies who were the subject of a child protection report before they were born entered care within 12 months of birth (Yoorrook 2023). This shows child protection systems are geared more toward surveillance and removal than early, meaningful support.

Octoman et al. (2023) found that of the 640 children reported to child protection prenatally in NSW in 2014, 79% (504 children) had subsequent contact with child protection services (reported to child protection or placed in OOHC) from birth up to their second birthday.

Eighteen per cent (18%) were removed from their families in their first week of life, and 80 per cent were removed in their first year. Nearly a third of these children (28%) were Aboriginal.

When babies are removed, mothers can become so traumatised and despairing that they give up hope of regaining custody of their children (Yoorrook 2023; Wise and Corrales 2021).

The ongoing high rates of unborn reporting and removal of Aboriginal and Torres Strait Islander babies echo the deeply harmful attitudes and practices inflicted on the Stolen Generations. These practices are based on the assumption that the State, or a non-Indigenous parent, is better suited to raise a child.

The Yoorrook Truth Commission in Vic and the South Australian Commission for Aboriginal Children and Young People's inquiry into SA's implementation of the Child Placement Principle in OOHC, which resulted in the *Holding on to Our Future* report, heard testimony from Aboriginal and Torres Strait Islander mothers who had had their newborn babies removed that recalled the experiences of mothers and families during the Stolen Generations (Commissioner for Aboriginal Children and Young People, South Australia 2024, Yoorrook 2023).

Further, the Commissioner for Aboriginal Children and Young People in SA identified that expectant Aboriginal and Torres Strait Islander mothers who were removed from their own mothers are often red-flagged as unsafe and a risk to their children, which is consistent with well-documented systemic bias in decision-making and surveillance of Aboriginal and Torres Strait Islander people and the intergenerational experience of child removal (Commissioner for Aboriginal Children and Young People, South Australia 2024, p71).

Research highlights many strategies that can reduce the number of newborns being removed from their mothers, including to:

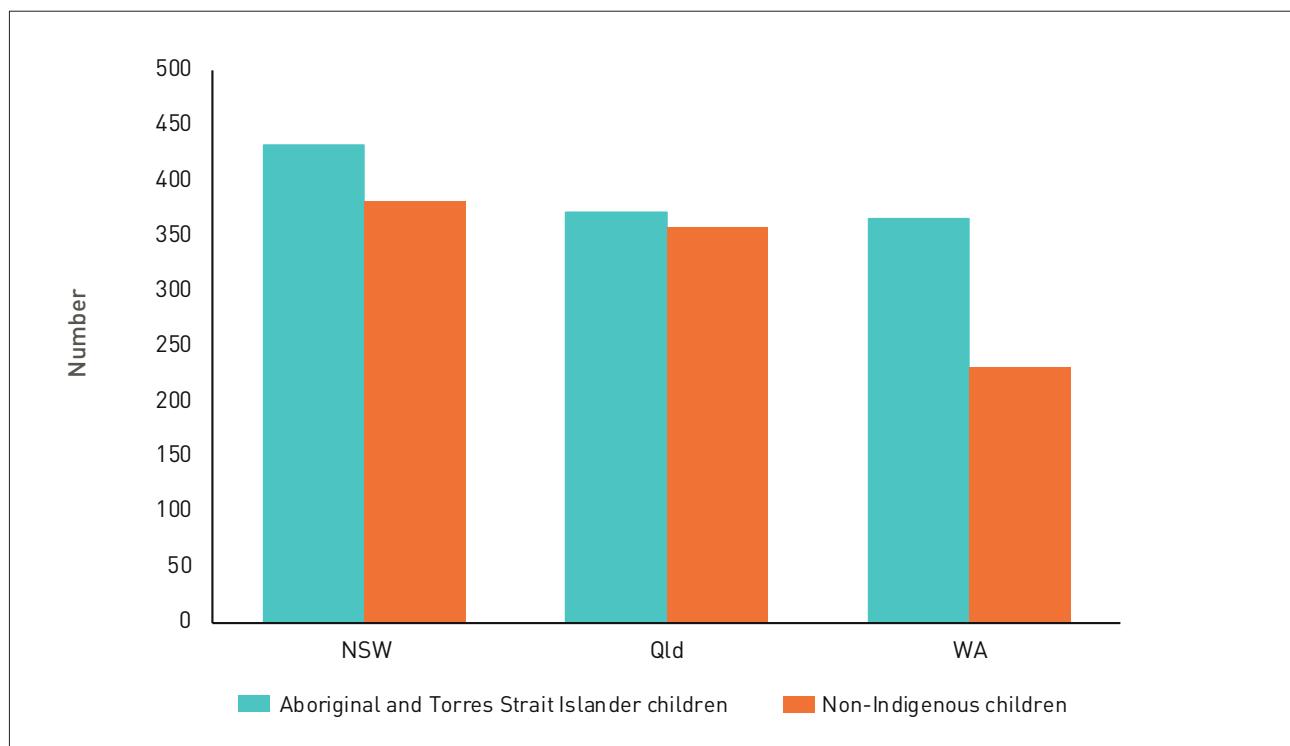
- prioritise policies that uplift and support vulnerable Aboriginal and Torres Strait Islander women and their families,
- invest in community-led, culturally safe initiatives where Aboriginal and Torres Strait Islander mothers, their partners and families are linked into support services to ensure the best outcomes for them and their babies,
- embed early identification systems that trigger referrals to culturally safe and supportive programs, instead of child removal, and
- the *Holding on to Our Future* report recommended that the South Australian Government resource a pilot of a child protection notification system for pre-birth reports that builds on the model already underway in the Corka Bubs Program (Commissioner for Aboriginal Children and Young People, 2024).

Aboriginal and Torres Strait Islander unborn babies are reported to child protection at high rates in every jurisdiction where relevant data exists (AIHW 2025, Table S2.3). As seen in Figure 9, NSW shows the greatest fluctuation, with a significant rise in unborn reports starting at 218 in 2018, rising to 851 in 2021 and then falling to 514 in 2023. This represents an overall increase of 136% from 2018 to 2023.

In 2024, in NSW, 433 Aboriginal and Torres Strait Islander infants were subject to a pre-birth notification, compared to 381 non-Indigenous infants. The number has decreased slightly in Qld, where 372 Aboriginal and Torres Strait Islander infants were subject to a pre-birth notification, compared to 397 in 2023. In WA, this number has remained stable at 366 (AIHW 2025, Table S2.3).

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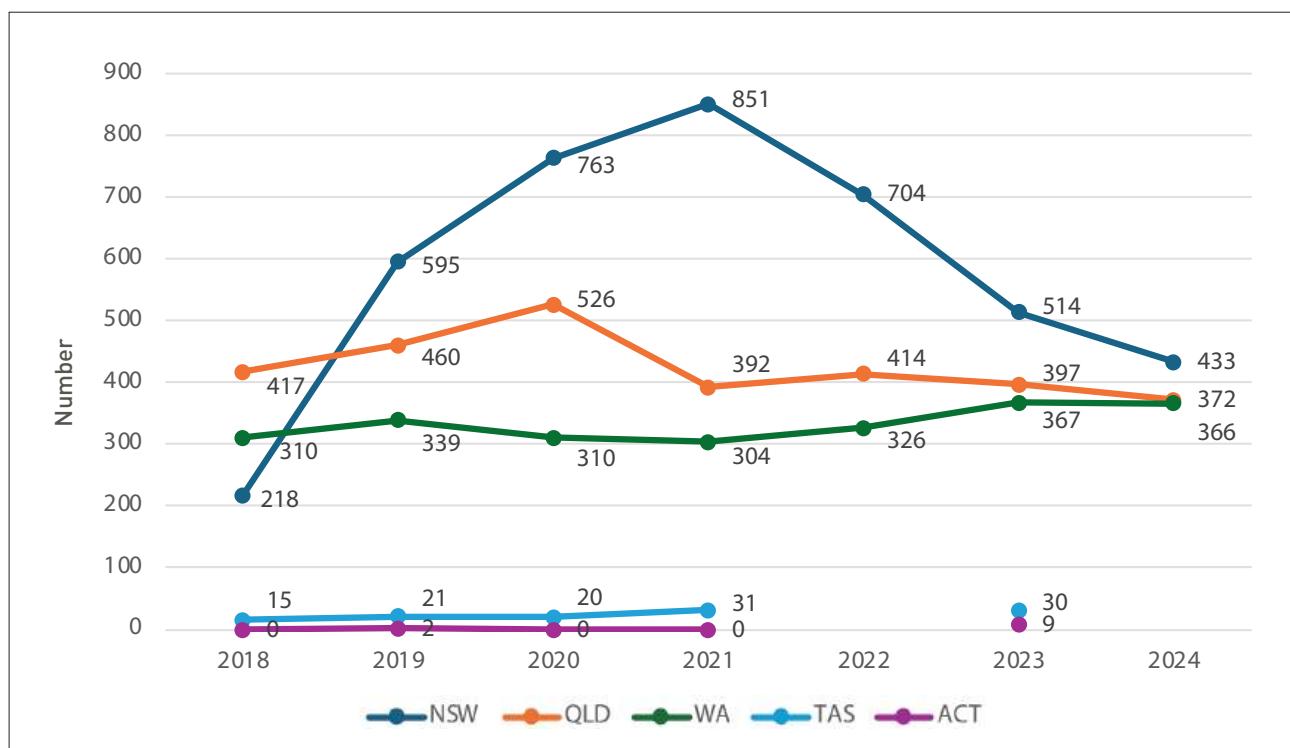
**FIGURE 8: Number of Aboriginal and Torres Strait Islander and non-Indigenous children subject to pre-birth notifications by available jurisdiction (2023–24)**



Source: AIHW 2025, Table S2.3.

Notes: Differences in the statutory provisions to intervene before a child is born mean that data presented here should be interpreted with caution. Vic, SA, the ACT, and the NT do not have the statutory authority to commence investigations prior to a child's birth. Therefore, no data is available for these jurisdictions. Tas data on the number of pre-birth reports for Aboriginal and Torres Strait Islander children subject to a pre-birth report in 2023–24 were not published.

**FIGURE 9: Number of Aboriginal and Torres Strait Islander children subject to pre-birth notifications, by available jurisdiction (2018–2024)**



Source: AIHW 2025, Table S2.3.

Note: Data was not provided from Tas and the ACT in 2022 and 2024.

In 2024, in NSW, 433 Aboriginal and Torres Strait Islander infants were subject to a pre-birth notification, compared to 381 non-Indigenous infants. The number has decreased slightly in Qld, where 372 Aboriginal and Torres Strait Islander infants were subject to a pre-birth notification, compared to 397 in 2023. In WA, this number has remained stable at 366 (AIHW 2025, Table S2.3).

Child protection services in Vic, SA and the NT do not have the statutory authority to commence investigations prior to a child's birth and so do not report the data in Figure 9. However, inquiry processes, including those by the Commission for Aboriginal Children and Young People in SA and the Yoorrook Commission in Vic, have shed light on pre-birth notifications in these jurisdictions, highlighting the importance of such processes for increasing public transparency.

The Commission for Aboriginal Children and Young People in SA reported that in SA, one in every three Aboriginal and Torres Strait Islander children, and one in 33 non-Indigenous children, were subject to a pre-birth notification (Commissioner for Aboriginal Children and Young People, South Australia 2024).

In Vic, in 2022, there were 491 pre-birth notifications regarding Aboriginal and Torres Strait Islander babies, amounting to one-in-five of all pre-birth reports, and more than double the rate of non-Indigenous children (Yoorrook 2023). Between 2012-13 and 2018-19, unborn reports for all children across Australia increased by four per cent each year (O'Donnell et al. 2023).

A pre-birth notification should mobilise intensive wraparound support for the expectant mother to prevent harm to the baby (Wise & Corrales, 2021; Octoman, 2023). In practice, many mothers are unaware that the report has been made<sup>2</sup>, and the first time a mother knows of the notification is when the child protection officer appears in the labour ward and takes her newborn away (Yoorrook 2023). The Yoorrook Truth Commission highlighted systemic failures in responding to unborn notifications in Vic, identifying many missed opportunities for early intervention or support following an unborn notification. Instead of diverting vulnerable mothers and their babies from tertiary systems, unborn reports instead initiated the institutionalising process of babies before they were even born (Yoorrook 2023).

There is substantial evidence of system failure and racism in how pre-birth reports are handled by child protection authorities (Yoorrook 2023; Newton 2024). A pre-birth report can be made on a pregnant person for no other reason than that they were previously in a violent relationship, had children removed or have experienced challenges related to mental health, alcohol or other drug use, regardless of their current situation. Rather than working with the expectant parent to understand their current circumstances and provide timely, thorough and purposeful supports, too

often the system operates to prioritise the removal of babies, regardless of the significant harm and trauma caused by removing a newborn from their family.

Nationwide in 2024, Aboriginal and Torres Strait Islander infants (under one year old) were removed from their families and placed in OOHC at a rate of 21.4 per 1,000. The rate for non-Indigenous infants was 2.4 per 1,000. Aboriginal and Torres Strait Islander infants were 8.9 times more likely to be in OOHC. The highest rate of removal of infants into OOHC was reported in Vic, where 51.1 per 1,000 Aboriginal and Torres Strait Islander infants were placed into OOHC, which is 19 times the rate of non-Indigenous infants. In WA, Aboriginal and Torres Strait Islander infants were 16.3 times more likely to be removed to OOHC. The lowest over-representation was reported in Tas, with Aboriginal and Torres Strait Islander infants being 3.6 times more likely to be removed into OOHC (AIHW 2025, Tables S5.5 and P4).

## SOURCES OF NOTIFICATION

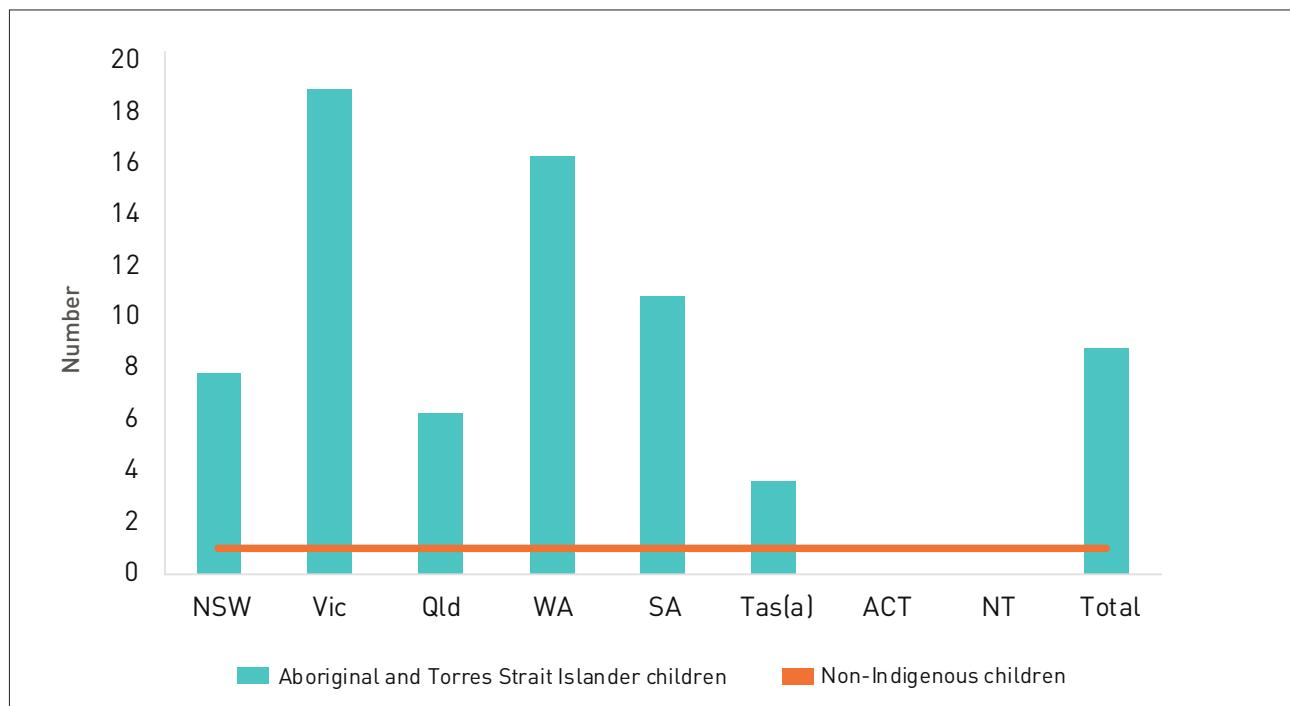
Data provided by states and territories highlights differences in the sources of child protection notifications for Aboriginal and Torres Strait Islander children compared with non-Indigenous children.

The available data highlights that during 2023-24, police were the most likely source of child protection notifications about Aboriginal and Torres Strait Islander children in WA, SA, Qld and the NT. School personnel were the highest source of notifications in Vic and the ACT, and the second highest in Qld, SA and Tas, highlighting the significant role schools play in the identification and reporting of concerns for Aboriginal and Torres Strait Islander children. Social workers, departmental officers and health personnel were also frequent sources of notifications across jurisdictions, as shown in Table 3.

The variation in notification sources across jurisdictions provides insights into the different roles sectors play in pathways to child protection interventions for Aboriginal and Torres Strait Islander children and families. High notification rates through police may indicate that families are experiencing more acute issues and not accessing health, education and social services that identify issues and respond to their needs earlier.

However, high notification rates through universal services like schools and health may indicate that these services are relying on child protection notifications as an early and primary response for families experiencing challenges, rather than providing wraparound supports to address family issues that, if supported, could prevent the need for child protection escalations.

**FIGURE 10: Over-representation of Aboriginal and Torres Strait Islander infants in OOHC, by available jurisdiction (2023-24)**



Source: AIHW 2025, Tables S5.5 and P4.

Notes: Infants are defined as children under one year old. Rates calculated as the number of children under one year old in OOHC at 30 June 2024, divided by the population of children under one year old at 30 June 2024 for Aboriginal and Torres Strait Islander and non-Indigenous children. Data for ACT and NT are not available. Children in OOHC exclude children on TPPROs as per the information contained in Table S5.5.

Variations in notification sources for Aboriginal and Torres Strait Islander compared to non-Indigenous children may indicate the different levels and nature of issues being experienced, as well as systemic and individual racism and bias in the way services are identifying and responding to safety and wellbeing concerns.

The comparatively higher role that police play in notifications for Aboriginal and Torres Strait Islander children is particularly notable across jurisdictions, including Qld and SA. Data that enables comparisons to non-Indigenous children was not provided by WA and NT, and no data was provided by NSW.

## INVESTIGATIONS

Child protection agencies conduct investigations to gather detailed information about children who are the subject of notifications and their circumstances. These investigations inform assessments regarding the veracity of allegations of abuse and neglect (also referred to as maltreatment), and the child's immediate and long-term safety needs (AIHW 2025f).

Child protection systems continue to disproportionately investigate Aboriginal and Torres Strait Islander families. In 2023-24, Aboriginal and Torres Strait Islander children were 4.9 times more likely to be the subject of a notification but 5.5 times more likely to be the subject of an investigation (SCRGSP 2025, Tables 16A.1), indicating that notifications involving Aboriginal and Torres Strait Islander families are more likely to proceed to investigation, with fewer notifications being screened out.

Disproportionate rates of investigations can, in part, be linked to greater levels of harm experienced in communities facing entrenched socioeconomic disadvantages. As discussed in Part 1.3 of this report, the historical and ongoing impacts of colonisation, intergenerational trauma, poverty and limited access to culturally safe services all contribute to elevated risk factors for many Aboriginal and Torres Strait Islander children.

However, the over-representation of Aboriginal and Torres Strait Islander children in child protection investigations is also attributable to entrenched systemic biases against Aboriginal and Torres Strait Islander families. Child protection systems too often misinterpret or underestimate the strength of

Aboriginal and Torres Strait Islander ways of raising children and kinship networks. Consequently, child protection systems must continue to strengthen practice guidance, oversight mechanisms and training for staff to mitigate these biases.

While Table 4 shows that investigation rates have decreased nationally, it is too early to interpret this as evidence of positive system change or improved safety, welfare and wellbeing outcomes for children and young people. A decline in investigations may suggest that child protection departments are lacking the resources needed to fulfil their functions, resulting in children who require a response not receiving one or, conversely, that improved systems are now directing resources where they are most needed, reducing unwarranted investigations.

Of particular concern is an over 50% reduction in just one year in the rate of finalised investigations for both Aboriginal and Torres Strait Islander and non-Indigenous children in the NT (SCRGSP 2024a, Table 16.A1). There were also notable reductions in the number of Aboriginal and Torres Strait Islander children subject to a finalised investigation in Tas (10%), NSW (9%) and WA (8%). In NSW and WA, this drop coincided with a significant reduction in the number of finalised investigations for non-Indigenous children, 19% and 12% respectively. Conversely, in SA, there was a 7% increase in the Aboriginal and Torres Strait Islander children subject to a finalised investigation, alongside a 22% increase for non-Indigenous children (SCRGSP 2025, Table 16.A1).

## SUBSTANTIATED INVESTIGATIONS

A substantiation refers to a case where a departmental investigation concludes that a child has been—or is at—significant risk of maltreatment (AIHW 2025f) and necessitates further action by the state. It is a discretionary process and inherently not immune to bias. The determination of risk, interpretation of evidence and the decision to intervene are shaped by human judgment, which can be influenced by systemic factors such as race, class and cultural assumptions about 'good' or 'good enough' parenting. For Aboriginal and Torres Strait Islander families, this can result in disproportionate scrutiny and intervention, particularly in cases where poverty-related challenges are represented as neglect (see below for discussion of primary reasons for substantiations).

Discriminatory judgements made by child protection systems, child protection legislation and policy, which are heavily reliant on non-Indigenous concepts of family and the undervaluing of Indigenous parenting practices, are considered key drivers of higher rates of substantiated investigations for Aboriginal and Torres Strait Islander children (Yoorrook 2023).

As Table 5 shows, rates of substantiation have generally fallen across both Aboriginal and Torres Strait Islander and non-Indigenous population groups over the past year, with some exceptions. This, in part, is associated with similar reductions in investigations, as substantiations first require a finalised investigation. As with finalised investigations, a sharp decrease of over 40% was reported in the NT (SCRGSP 2025, Table 16.A). Decreases were also reported in NSW, Vic, WA and Tas. In the ACT, there was a sharp decrease in substantiations for non-Indigenous children (40%), but a steep 59% increase in the rate of substantiation for Aboriginal and Torres Strait Islander children. The rate of substantiation for Aboriginal and Torres Strait Islander children remained stable in SA, while the non-Indigenous rate rose by 16% (SCRGSP 2025, Table 16.A1).

## PRIMARY REASONS FOR SUBSTANTIATIONS

Emotional abuse was the most prevalent primary reason for substantiated child maltreatment among both Aboriginal and Torres Strait Islander children (51.4%) and non-Indigenous children (60.4%) in 2023-24, indicating widespread concern across communities (AIHW 2025, Table S3.10). Emotional abuse often includes exposure to family violence or concerns associated with mental health, which remain significant concerns across child protection systems.

A notable disparity emerges in cases of neglect; Aboriginal and Torres Strait Islander children were significantly more likely to be the subject of a substantiated notification for neglect (29.3%) compared to non-Indigenous children (16.8%) in the same period (AIHW 2025, S3.10). This 12.5% difference is the largest in the dataset and highlights neglect as a pressing issue contributing to disparities in child protection system involvement affecting Aboriginal and Torres Strait Islander children. Addressing this disparity requires a specific focus on the structural factors that contribute to concerns about neglect, including incidence of poverty, financial stress, housing insecurity, poor mental health supports and intergenerational disadvantage, which place families under pressure and manifest in increased instances of neglect.

In contrast, physical abuse (11.2% for Aboriginal and Torres Strait Islander children compared to 13.1% for non-Indigenous children) and sexual abuse (7.8% compared to 9.1%) represented a larger proportion of substantiations among non-Indigenous children than their Aboriginal and Torres Strait Islander peers, suggesting different patterns of maltreatment across population groups (AIHW 2025, S3.10). These variations point to the need for tailored approaches in statutory child protection systems that respond to the specific risks and circumstances faced by different communities.

# CASE STUDY

## VACCA – PRE-BIRTH RESPONSE

The Victorian Aboriginal Child and Community Agency (VACCA) is a Victorian statewide ACCO supporting Aboriginal and Torres Strait Islander children, young people, families, and community members in Victoria.

Established in 1977, VACCA has been serving the community with an extensive range of programs providing culturally safe, trauma informed support to assist in healing and building cultural and community connections. VACCA has long been a peak voice in advocacy efforts for Victoria's child and family services system to move from a state-led to an Aboriginal-led system. With significant shifts in the Victorian legislative and policy landscape, this vision is increasingly being realised.

VACCA's Pre-Birth Response is one example of significant achievements in this broader shift to an Aboriginal Community of Care Model, offering a culturally responsive, Aboriginal-led approach to supporting Aboriginal families who are expecting a baby.

This model comprises two key components:

- the referral of unborn reports to the Aboriginal-led Case Conferencing (ALCC) program for culturally safe support, and
- intensive case management through the Bringing Up Aboriginal Babies at Home (BUABAH) program for expectant mothers at risk of child protection involvement.

Both initiatives were co-designed with the University of Melbourne and piloted by VACCA, with strong outcomes in diverting Aboriginal families from child protection involvement.

### ABORIGINAL-LED CASE CONFERENCING (ALCC)

The ALCC program was developed and trialled between 2021 and 2023 in VACCA's North Metro region, with funding from the Victorian Government. It targets Aboriginal families subject to child protection reports where concerns may lead to a planned investigation.

Rather than progressing to formal child protection intervention, suitable families are referred to a VACCA ALCC Convenor, who works with them to address concerns and connect them with appropriate and culturally safe services.

Following the trial, the ALCC cohort was expanded to include unborn reports, providing Aboriginal families with access to an Aboriginal-specific service pathway.

Evaluation findings from the University of Melbourne highlighted a 78.3% success rate in diverting investigations, high levels of client satisfaction, and a strong return on investment – estimated at \$5 for every \$1 invested.

As a result, VACCA has secured funding to expand ALCC to additional regions.

## BRINGING UP ABORIGINAL BABIES AT HOME (BUABAH)

The BUABAH program was piloted in the South metropolitan Melbourne area through philanthropic support, with the aim of reducing the number of Aboriginal babies entering child protection and OOHIC.

The program provides intensive support to mothers pregnant with an Aboriginal child, particularly those early in gestation (16–24 weeks) and at risk of child protection involvement.

The University of Melbourne's evaluation found BUABAH to be effective in preventing legal interventions and improving outcomes for both babies and mothers. Of the seven mothers supported during the pilot, all gave birth to healthy babies – six of whom left hospital in their mother's arms, and one in kinship care.

The program also strengthened and increased cultural connection and growth in parenting capacity. Based on its success, BUABAH is now a core component of VACCA's Family Services offering statewide.

### Integrated Approach

Together, this Pre-Birth Response model offers an integrated approach. Where unborn report cases require intensive case management, ALCC Convenors can refer families to BUABAH.

Operating in tandem, ALCC and BUABAH aim to provide a holistic approach to preventing Aboriginal baby removals across Victoria. VACCA is strongly advocating and working towards implementing both programs in all regions to ensure families have access to the complete spectrum of culturally safe, early intervention support.

### Model Early Insights

The Pre-Birth Response model is currently undergoing evaluation in partnership with the University of Melbourne, with findings expected by July 2027. While formal evaluation is underway, program monitoring from September 2024 to August 2025 indicates promising early outcomes. In one region – Northern metro – support has been offered to nearly three times as many expectant Aboriginal families compared to the previous 12-month period.

Across both evaluation regions, Northern and Southern metro, a total of 32 families subject to unborn reports have been referred to BUABAH and the ALCC for Aboriginal-led support. ALCC has achieved a 78 per cent engagement rate, which is significant given the voluntary nature of pre-birth support, and has facilitated referrals to VACCA Family Services (44 per cent) and other services including alcohol and other drugs, legal, housing, justice and therapeutic supports.

BUABAH is connecting with mothers earlier in pregnancy, with 81 per cent receiving support in the first or second trimester; a 54 per cent increase compared to the pilot. Referrals are coming through diverse, community-based pathways including internal VACCA programs, other ACCOS and hospitals, rather than through child protection.

Of the 11 BUABAH babies born to date, all were discharged from hospital in the care of their mothers, 72 per cent remain with their mothers, and the other 28 per cent in kinship care. These outcomes are supported by key enablers: referral of unborn reports to ALCC for Aboriginal-led support, broader and more diverse referral pathways into BUABAH, and a targeted hospital engagement strategy that strengthens culturally safe and timely access to support.

**TABLE 3: Investigations by source of notification, Indigenous status and available jurisdiction, number and per cent (2023-24)**

Jurisdiction	Source of Notification	Aboriginal and Torres Strait Islander (no.)	Aboriginal and Torres Strait Islander (%)	Non-Indigenous (no.)	Non-Indigenous (%)
NSW	Social worker/ departmental officer	np	np	np	np
	School personnel	np	np	np	np
	Police	np	np	np	np
	Medical/health personnel	np	np	np	np
	Family	np	np	np	np
VIC	Social worker/ departmental officer	541	9%	2,042	6%
	School personnel	1,269	22%	9,522	27%
	Police	1,232	21%	7,847	22%
	Medical/health personnel	795	14%	5,818	16%
QLD	Family	640	11%	2,829	8%
	Social worker/ departmental officer	393	3.1%	496	2.1%
	School personnel	2,634	20.6%	6,653	28.5%
	Police	3,515	27.5%	4,377	18.7%
	Medical/health personnel	2,138	16.8%	4,111	17.6%
WA	Family	1,284	10.1%	2,208	9.5%
	Social worker/ departmental officer	988	6.7%	1,419	np
	School personnel	499	3.4%	1,427	np
	Police	2,626	17.8%	2,731	np
	Medical/health personnel	501	3.4%	614	np
	Family	422	2.9%	833	np
SA	Social worker/ departmental officer	624	18%	1,258	16%
	School personnel	678	19.2%	1,895	23.4%
	Police	1,096	31.1%	1,981	24.5%
	Medical/health personnel	137	4%	412	5%
	Family	95	2.7%	266	3.3%
TAS	Social worker/ departmental officer	80	25.2%	128	32.0%
	School personnel	78	24.6%	71	17.8%
	Police	58	18.3%	60	15.0%
	Medical/health personnel	36	11.4%	58	14.5%
	Family	26	8.2%	37	9.3%
ACT	Social worker/	43	11%	63	6%
	School personnel	110	26%	301	27%
	Police	83	20%	223	20%
	Medical/health personnel	51	12%	205	19%
	Family	38	9%	101	8%
NT	Social worker/	284	7.9%	np	np
	School personnel	207	5.7%	np	np
	Police	1,370	38%	np	np
	Medical/health personnel	689	19.1%	np	np
	Family	122	3.4%	np	np

Source: State and territory data provided to SNAICC. np – Data was not provided

Notes: The 'per cent' column represents the proportion of the total investigations for a given Indigenous status. Not all sources of notification have been included, and so totals will not equal 100%. Where there are discrepancies in the categories of sources provided, categories have been grouped for likeness. For example, 'social worker', 'departmental officer' and 'child protection services' have been grouped.

**TABLE 4: Comparison of finalised investigation rates for Aboriginal and Torres Strait Islander children and non-Indigenous children in 2022-23 and 2023-24, by jurisdiction**

	Aboriginal and Torres Strait Islander children			Non-Indigenous children		
	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease
NSW	58.7	53.5	-9%	9.7	7.9	-19%
VIC	125.5	129.1	3%	21.2	19.0	-10%
Qld	62.0	62.2	0%	11.5	12.6	10%
WA	83.9	77.6	-8%	10.0	8.8	-12%
SA	92.8	99.5	7%	12.9	15.7	22%
TAS	15.0	13.5	-10%	2.5	2.6	4%
ACT	91.8	87.0	-5%	11.0	6.7	-39%
NT	160.2	78.8	-51%	20.9	9.9	-53%
<b>Australia</b>	<b>75.2</b>	<b>67.9</b>	<b>-10%</b>	<b>13.3</b>	<b>12.3</b>	<b>-8%</b>

Sources: SCRGSP 2025, Table 16.A1.

Note: Changes that are greater than 10% are shaded in orange. Rates shown are calculated using the number of children subject to an investigated notification, rather than total investigations (which may involve multiple investigations for one child).

**TABLE 5: Comparison of substantiated notification rates for Aboriginal and Torres Strait Islander children and non-Indigenous children in 2022-23 and 2023-24, by jurisdiction**

	Aboriginal and Torres Strait Islander children			Non-Indigenous children		
	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease	Rate per 1,000 2022-23	Rate per 1,000 2023-24	Percentage increase/ decrease
NSW	32.0	29.5	-8%	4.8	4.0	-17%
VIC	70.3	67.0	-5%	9.4	8.2	-13%
QLD	22.4	22.5	0%	3.7	3.8	3%
WA	50.1	46.3	-8%	4.4	4.1	-7%
SA	47.7	47.7	0%	5.1	5.9	16%
TAS	13.7	11.2	-18%	2.1	2.1	0%
ACT	18.7	29.7	59%	2.5	1.5	-40%
NT	48.4	28.4	-41%	4.7	2.7	-43%
<b>Australia</b>	<b>35.6</b>	<b>32.8</b>	<b>-8%</b>	<b>5.7</b>	<b>5.1</b>	<b>-11%</b>

Sources: SCRGSP 2025, Table 16.A1.

Note: Changes that are greater than 10% are shaded in orange. Rates shown are calculated using the number of children subject to substantiation, rather than total substantiations (which may involve multiple substantiations for one child).

## FAMILY SUPPORT SERVICES

Family Support Services (FSSs) are community-based programs designed to assist families whose circumstances may impact the wellbeing or safety of their children. FSSs are increasingly recognised as playing a critical role in minimising or complementing child protection intervention by reducing risks of abuse or neglect (AIFS 2014; AHRC 2024). These services can support families before issues escalate to statutory child protection involvement, or can be integrated into child protection case management, including efforts to support reunification. Families are strengthened when they are identified early and are provided with appropriate services that meet their needs.

Common supports offered through an FSS include:

- education programs, counselling and skill-building to strengthen parenting capacity,
- case management for families experiencing crises such as homelessness, family violence and financial stress, and
- linking families to other support services, including mental health care, drug and alcohol treatment, domestic and family violence services, gambling intervention programs and housing assistance.

Some programs offer tailored services for Aboriginal and Torres Strait Islander families, recognising and building upon cultural strengths, community knowledge and kinship systems. When sustainably funded and delivered effectively—especially through ACCOs—FSSs can be highly successful in diverting Aboriginal and Torres Strait Islander children from entering the statutory child protection system.

### INTENSIVE FAMILY SUPPORT SERVICES

Intensive Family Support Services (IFSSs) are more targeted services that aim to prevent imminent separation of children from their parents or carers because of child protection concerns, and to reunify families where separation has already occurred (AIHW 2025f). IFSSs typically involve more intensive case management, therapeutic support and coordinated service delivery to address very complex family needs and can reduce risk factors that contribute to child removal.

As shown in Figure 11, the percentage of Aboriginal and Torres Strait Islander children, as a proportion of all Aboriginal and Torres Strait Islander children in Australia, commencing IFSSs nationally has not significantly increased in the past five years and remains significantly lower than the proportion who are in OOHC and on TPPROs. This may indicate a systemic tendency for children to be removed into OOHC without

families being offered culturally appropriate IFSSs. For non-Indigenous children, the proportion of children commencing IFSSs is far closer to the proportion in OOHC and on TPPROs.

IFSSs delivered by ACCOs have been found to bridge barriers to service access by providing culturally strong casework supports and assisting families to access and navigate the broader service system (SNAICC 2015). Access to FSSs and IFSSs is inhibited by the availability of services, which is inherently linked to a lack of funding.

As shown in Figure 12, the average spend per child on IFSSs is \$111.00. SA had the highest proportion of Aboriginal and Torres Strait Islander children commencing an IFSS at 7.8%, followed by Vic at 6.4%. Both SA and Vic also reported a high spend per child compared to other jurisdictions, demonstrating a greater focus on early and preventative supports. There is variation in the spending on IFSS per child across jurisdictions. Despite having the second lowest reported rate of children commencing IFSSs, WA reported the lowest spend per child by a significant margin. NT reported extremely low rates of IFSS commencement, yet the spend per child is the second highest nationally. Expenditure on IFSSs and FSSs is discussed further below in this report.

## FUNDING FOR FSS AND IFSS

Funding for FSSs and IFSSs remains critically below the level required to meet demand, and shockingly low when compared with the escalating cost of child protection interventions and OOHC (see Part 1.2 for a ten-year projection of OOHC delivery costs).

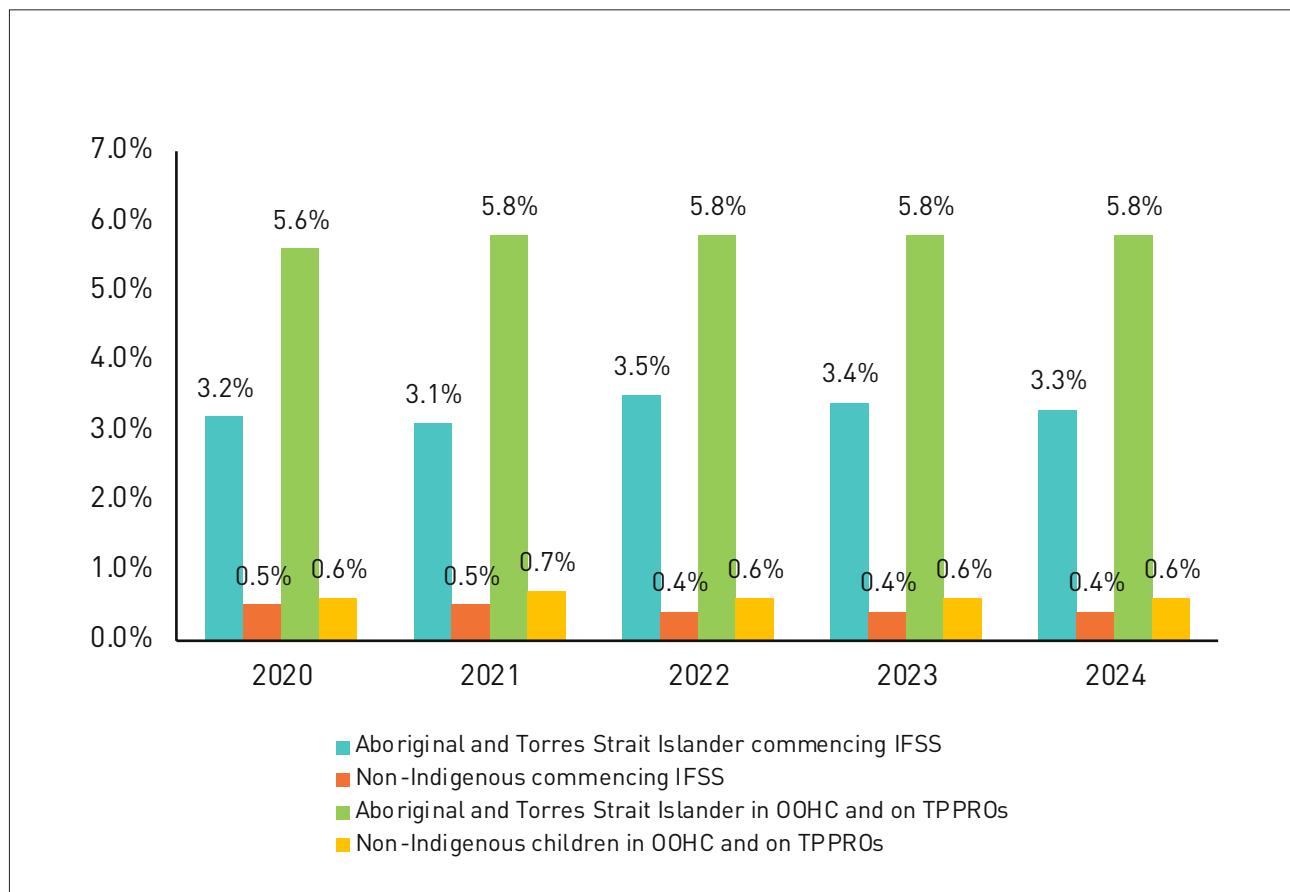
In 2023-24, Australian governments spent nearly \$10.2 billion on child protection and family support services for all children, including protective intervention services, care services, FSSs and IFSSs. This represents a consistent year-on-year increase over the past decade, averaging 7.4% annually, with a total increase of nearly 90% over the ten-year period (SCRGSP 2025, Table 16A.8).

Despite this substantial investment, real recurrent funding for FSSs and IFSSs has remained low, reflecting a systemic underinvestment in early supports and family preservation. For the past ten years, real recurrent funding for FSSs remained under 10% of the total expenditure on child protection and family support services and was 9.3% last financial year, which is an insignificant increase on the 2022-23 figure of 9.2%. In the past decade, funding for IFSSs peaked at 8.1% in 2016-17 and has steadily decreased to just 6.3% in 2023-24 (SCRGSP 2025, Table 16A.8).

Combined, funding for IFSSs and FSSs represented 15.6% of total expenditure on the child protection and OOHC system in 2023-24, 0.2% less than five years ago. Table 6 shows a concerning decrease in the proportion of IFSS expenditure in NSW, Qld and Tas, and a limited increase across other jurisdictions. Five jurisdictions reported IFSSs and FSSs expenditure at less than 18% of total funding, with WA allocating an extremely low 4.4%, far lower than any other jurisdiction.

These figures demonstrate a critical lack of resourcing for essential primary and secondary services that prevent progression to tertiary interventions, including removal to OOHC. Jurisdictions are getting exactly what they pay for: fewer families supported and more children in OOHC.

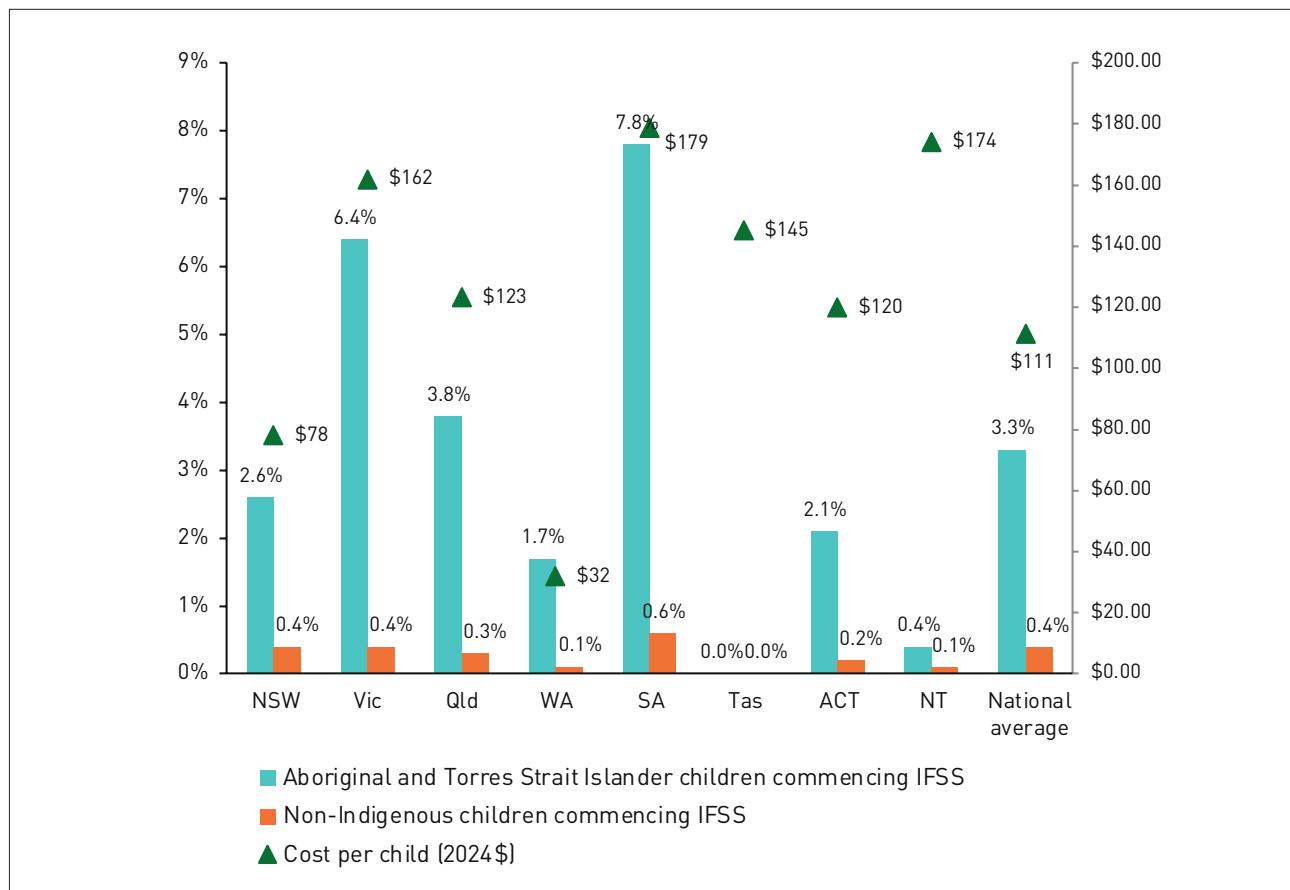
**FIGURE 11: Proportion of children commencing IFSSs and in OOHC, including TPPROs, by Aboriginal and Torres Strait Islander status, nationally (2020-24)**



Sources: AIHW 2025 Table T3

Note: National data needs to be interpreted with caution due to the following: a) Tas did not provide data on children commencing IFSSs in 2020, 2021, 2022 and 2023, and the NT did not provide data for children commencing IFSSs in 2022 and 2023; b) national totals for each year therefore exclude multiple states and territories; c) the denominator for calculating percentages (population data) is the total population for Australia per year, minus the population from the state/s that did not provide IFSSs data for that same year.

**FIGURE 12: Proportion of children commencing IFSSs, and expenditure on IFSSs per child in the population, by Aboriginal and Torres Strait Islander status and jurisdiction, in Australian Dollars (2023-24)**

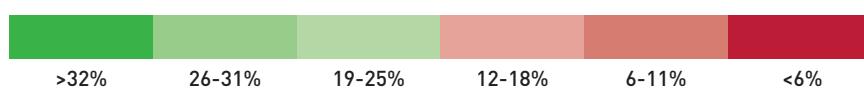


Sources: SCRGSP 2025, Tables 16A.35 and 16A.34; AIHW 2025, Table P3.

Note: National data needs to be interpreted with caution due to the following: a) Tas did not provide data on children commencing IFSSs in 2020, 2021, 2022 and 2023, and the NT did not provide data for children commencing IFSSs in 2022 and 2023; b) national totals for each year therefore exclude multiple states and territories; c) the denominator for calculating percentages (population data) is the total population for Australia per year, minus the population from the state/s that did not provide IFSSs data for that same year. All values have been updated to reflect the value of the Australian dollar in 2024.

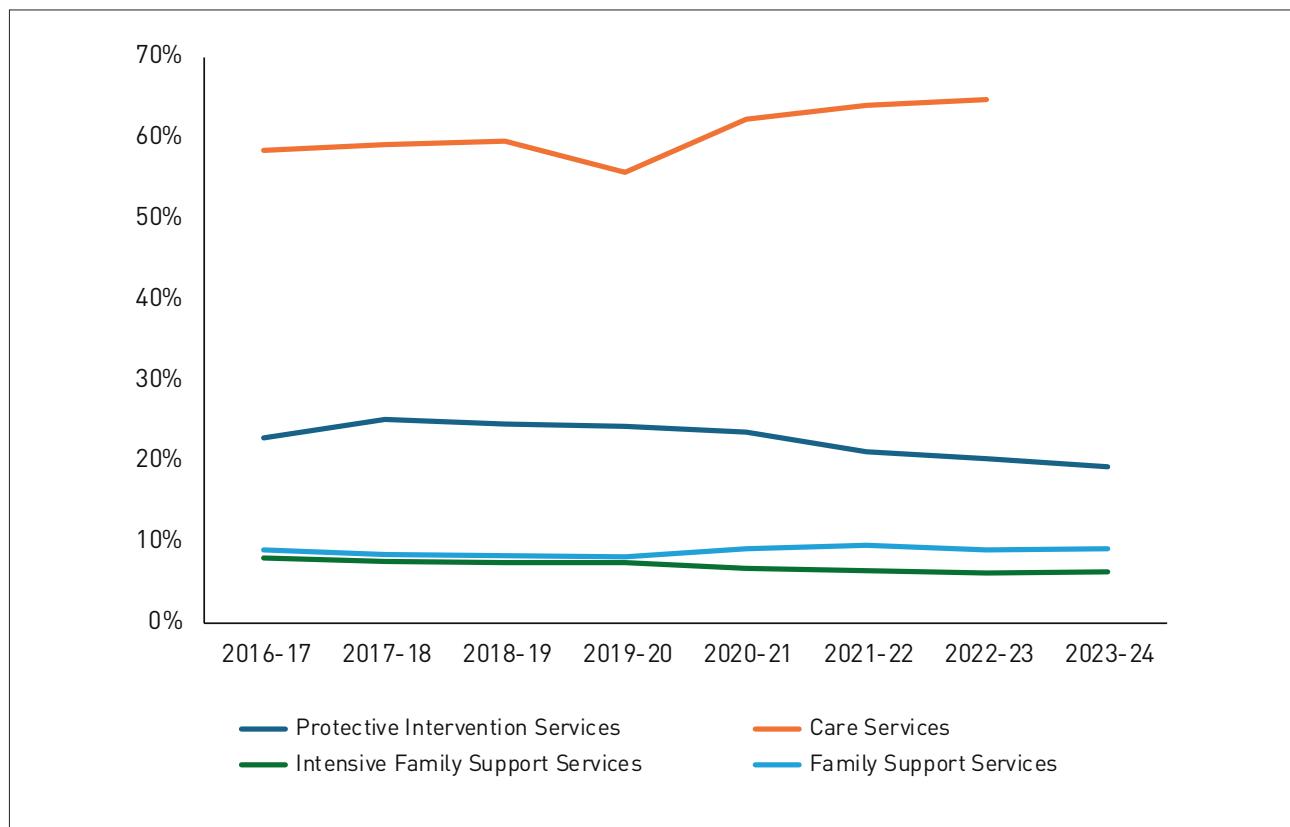
**TABLE 6: Proportion of child protection expenditure directed to FSSs and IFSSs over five years by jurisdiction (2019-20 to 2023-24)**

	2019-20	2020-21	2021-22	2022-23	2023-24
NSW	12.9%	12.4%	13.2%	13.6%	13.4%
VIC	25.9%	27.3%	27.6%	25.8%	27.0%
QLD	15.9%	14.2%	12.3%	11.4%	10.4%
WA	5.7%	5.6%	5.0%	4.3%	4.4%
SA	8.8%	9.8%	9.8%	9.1%	12.0%
TAS	18.5%	25.2%	27.8%	25.4%	24.3%
ACT	12.3%	19.9%	20.2%	16.4%	17.0%
NT	26.6%	29.3%	32.7%	32.9%	34.8%
<b>National average</b>	<b>15.8%</b>	<b>16.2%</b>	<b>16.2%</b>	<b>15.3%</b>	<b>15.6%</b>



Source: SCRGSP 2025a, Table 16A.8.

FIGURE 13: Proportion of real recurrent expenditure on different components of the child protection and OOH system, nationally (2016-17 to 2023-24)



Source: SCRGSP 2025, Table 16A.8.



# CASE STUDY

## MAARI MA – INTEGRATED EARLY INTERVENTION SUPPORTS

When Darcy Hughes watches her three-year-old daughter confidently playing and talking with other children at Maari Ma's Playgroup, she reflects on the transformation that happens when services are built on Aboriginal and Torres Strait Islander ways of knowing, being and doing.

"It kind of feels like a family," she says. "You do feel safe, and you do feel like family."

This feeling of safety, belonging and trust underpins the work of Maari Ma Health Aboriginal Corporation (Maari Ma). For more than 30 years, Maari Ma has supported Aboriginal and Torres Strait Islander families and children across Wilyakali Country and Barkindji Country in the Far West region of New South Wales, including Broken Hill and surrounding communities.

Stretching from as far north as the Queensland border to as far south as the Victorian border along the South Australian border, Maari Ma offers services across this vast region of Far West New South Wales, showing what's possible when Aboriginal knowledge and leadership guide the design and delivery of children and family services.

While Maari Ma provides outreach across the entire region, its Broken Hill site is the main hub, supporting families from communities such as Wilcannia, Menindee and beyond to access prenatal and antenatal care, physical and mental health services, early education programs, family supports, and strong connections to community and culture.

### THE MAARI MA MODEL

Maari Ma's service delivery model is built on recognising the innate strengths of Aboriginal and Torres Strait Islander culture.

"We're creating a system based on the strengths of our culture and identity, the ability of our Aboriginal workers to work well with their communities professionally and to a high standard," Richard Weston, CEO of Maari Ma, explains.

"We know that our people have been successfully raising children for thousands of years. So, we should have confidence in that," he says.

"Our model, whilst it's a response to the vulnerability and the trauma that leads our people into contact with the child protection and out-of-home care systems, we're not being funded to provide these services.

"We're not trying to do this adaptive model of what is a very damaging mainstream response.

"The child protection system in New South Wales is not geared up towards protection and early intervention. It's geared towards report, substantiate, remove. Now, there are some good efforts going into prevention and the transitioning of services and resources to ACCOs, but it's going to take time.

*"So, what Maari Ma has done is made that decision to integrate our early years and health efforts around children into a single model, child and family service."*



**Maari Ma Health is based on the lands of the Wilyakali people in Broken Hill and provides services across Barkindji Country and the surrounding region.**

Instead of requiring families to navigate multiple appointments across the vast region of western NSW, who often struggle with transport and childcare, Maari Ma brings essential services together, such as GPs and paediatricians, playgroups, early education teaching, literacy programs, trauma counselling and child health nurses, all working as one team.

“This idea of bringing these two domains of education and health together, we think, is a better response to the system challenge, so rather than create a service that’s part of the child protection and out-of-home care systems.

“Our service and approach try to intervene much earlier in that trajectory. Putting more effort into early intervention, but in the hands of Aboriginal people and people who know what they’re doing, can make a profound difference.

“Our hope is that we will make a huge difference. We will make tangible change to not only the lives of children now, but to the lives of those kids who are going to be down the track.”

Lavinia Henderson, Executive Manager of Child and Family Services at Maari Ma, explains how the integration works in practice.

“When we go from our health service to our early years space, you can see the connection. We bring both together because we know that health isn’t just health, it’s education, it’s housing—it’s everything.

“We create multiple pathways for families to connect with support with soft entry points all the way through,” Lavinia says.

“If you come to playgroup, that might be your first step to coming to Maari Ma Health or starting to think about having some vaccinations or seeing a doctor. It could also be our health team that connects families with playgroups and other supports.”

Maari Ma’s opportunistic care approach is deliberate and powerful.

*“If you come to Maari Ma for a health check, you might leave and you’ve seen multiple services, and you’ve had a multi-disciplinary approach wrap around you. It opens the door, and it opens opportunities for kids to have better outcomes.”*



## MULTI-GENERATIONAL CONNECTION

The impact of Maari Ma's integrated approach can be seen in the stories of families who have grown with the service over generations.

As a mother and grandmother, Alinta has watched all five of her children grow up using Maari Ma's services. Now her two grandchildren are following the same path.

*"I think it's just so much easier that you can go to, like, a one-stop shop," Alinta explains.*

"If you need specialist services, you've got it there. Playgroup, you've got it here."

But the real power lies in the trust that's been built over time.

"I think you need to build the trust to get a relationship with people in the first place," Alinta said

"If you don't have trust, then no one will attend any service. Having that trust is so important for Indigenous people to look after themselves and their children."

She also recounts how the staff helped another parent in the playgroup secure preschool placement with just one phone call, leveraging the relationships they'd built with local services and how she's witnessed the impact on her children and grandchildren firsthand.

"Their confidence and their learning abilities, [developed in playgroup], gets them ready for preschool."

For Samara, a new mum and Alinta's daughter, the cultural safety of Maari Ma has been transformative.

*"I think that not everyone is connected with family and stuff, so coming to a service that appreciates culture and everything around what they do here is around culture and being culturally safe and appropriate. So, it's just so good to come here and expose the kids to that and ourselves as well. It's good to be around it."*

## CHILDREN THRIVING, FAMILIES STRENGTHENING

The seamless link between health and early education is visibly preparing children for success. The playgroups are designed to be a gentle bridge to formal learning, instilling routines, developing social skills and building confidence.

Denise, who brings her great-niece Kalara to playgroup, has watched Kalara build her confidence in the playgroup.

When Kalara first arrived, she was 'very, very shy' but the playgroup 'really helped build her confidence being around other kids and other people.'

"We access the health services across the road, and that has made life easier. I've seen a difference in Kalara's confidence and social interaction with the other kids. Different kinds of development, like her gross motor skills and stuff like that, have helped prepare her to start preschool."

As Kalara prepared to start preschool, Denise noted how the playgroup created readiness.

"It helps prepare them to get into a routine... when we say we're going to school, she knows where we're going."

"Because it's an Indigenous service, you are more comfortable about coming along and interacting with other parents and staff—it helps to break down barriers."

"The preschool Kalara starts at is not an Aboriginal-specific service, but this helps prepare her for that step, and she always has this place where she feels safe."



## WHAT THE EVIDENCE TELLS US WORKS

Maari Ma's approach is grounded in evidence about early childhood development.

"The biggest impact we can make in the lives of Aboriginal people is in that 0 to 5 or that 0 to 8 age range. It's when brain development's going on," Richard said.

Maari Ma had been running health programs and early years programs separately for years.

*"The evidence tells us if we can bring those two efforts together in a sort of an integrated and seamless kind of model, then we can have an even bigger impact."*

This continuity of care, from prenatal support through infancy and into preschool, strengthens Aboriginal children and families in the critical early years, creating the conditions for children to grow up healthy, connected to culture and ready to learn.

"If we can strengthen kids now, then maybe we're creating a future where Aboriginal people are thriving, we are healthy, we're supporting and growing our really healthy families."

*"We can make a big difference, not just to the lives of children, but to the lives of their families and, in particular, the more vulnerable families, the families that find it difficult to access services in our community when they need them,"* Richard said.



## FUNDING TO ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY-CONTROLLED ORGANISATIONS

**Aboriginal and Torres Strait Islander community control is a key step towards the realisation of self-determination in Australia.**

Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs)<sup>3</sup> have long been recognised as best-placed to deliver health and social services to Aboriginal and Torres Strait Islander people.

*ACCOs not only deliver services but also play an essential role in advocacy, as employers of Aboriginal and Torres Strait Islander people and are an important mechanism for self-determination through community-control of services and service delivery* (SNAICC 2023b, p.18).

ACCOs are defined by governance structures that are rooted in community leadership and cultural authority, which ensures services are not only responsive but also grounded in self-determination. However, governments often lack data systems that properly recognise and value the robust community governance processes of Aboriginal and Torres Strait Islander organisations.

ACCOs provide the accessible and culturally appropriate services that non-Indigenous service providers lack. Investment in—and design and delivery of services by—ACCOs directly operationalises the foundational principles outlined in the Family Matters Building Blocks. Under the National Agreement on Closing the Gap Priority Reform Two<sup>4</sup> all states, territories and the Commonwealth have committed to increasing the proportion of services to be delivered by ACCOs (Coalition of Peaks and Australian Governments, 2020).

A sustained and meaningful level of funding is required to enable ACCOs to deliver culturally safe and effective services for Aboriginal and Torres Strait Islander children and families. The extent of investment in ACCOs serves as a key proxy indicator of the availability and quality of culturally safe services for Aboriginal and Torres Strait Islander children and families. Investment should be aligned with the relative level of need at each stage of the child protection system, with an emphasis on early support and prevention. While this indicator is intended to reflect investment directed to Aboriginal and Torres Strait Islander community-based approaches, it is unclear if there is consistency across jurisdictions regarding interpretations of what constitutes an ACCO, as distinct from other Aboriginal and Torres Strait Islander organisations and services.

In 2023–24, the highest proportion of funding allocated to ACCOs was reported in Victoria (8%), followed by NSW (6.38%), SA (5.5%) and Qld (4.8%). Tasmania reported just 0.8%. Given the critical importance of prevention-focused service delivery, it is notable that the highest investments in FSSs and IFSSs through ACCOs were in Qld, the ACT, the NT and Western Australia. However, Western Australia invests by far the lowest proportion of overall funds in these services, limiting the total funding available for ACCO service delivery.

## CHILDREN ACCESSING SERVICES THROUGH ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY-CONTROLLED ORGANISATIONS

The extent to which Aboriginal and Torres Strait Islander families have access to culturally safe and effective services through ACCOs is impacted significantly by funding (as discussed in the previous section), as well as by a range of other enablers and barriers. Enablers include the strengths of ACCOs to engage families and to understand and respond to their needs, while barriers include a lack of effective referral processes to ACCOs from mainstream services, and restrictive program and contract requirements that prevent ACCOs from designing and delivering the services most needed by children and families.

Table 8 reflects the very limited amount of data collected and reported by states and territories on access to ACCO services. This substantial data gap raises significant questions about commitment to culturally safe service provision through ACCOs and requires urgent attention. As shown in Table 8, the highest proportion of Aboriginal and Torres Strait Islander children receiving services, who are accessing IFSSs with ACCOs, was 70.5% in Qld, followed by 64.8% in Vic and 53.5% in NSW. In SA, this figure was much lower at 36%. WA, Tas and the NT did not provide data.



TABLE 7: Expenditure on FSSs, IFSSs and child protection services through ACCOs, by jurisdiction (2023-24)

Type of Service		% of children who are Aboriginal and Torres Strait Islander	Total expenditure* (\$'000)	Direct funding to ACCOs (\$'000)	% of total expenditure to ACCOs
NSW	FSS		265,426	37,120	13.98%
	IFSS	Substantiation – 35%	140,733	11,962	8.50%
	Protective Intervention Services		689,537	11,190	1.62%
	Care Services	OOHC – 43%	1,968,938	135,359	6.87%
	<b>Total</b>		<b>3,064,604</b>	<b>195,631</b>	<b>6.38%</b>
VIC	FSS	Substantiation – 15.3%	395,303	46,905	11.87%
	IFSS		237,029	32,028	13.51%
	Protective Intervention Services	OOHC – 25.1%	512,246	49,077	9.58%
	Care Services		1,194,141	59,488	4.98%
	<b>Total</b>		<b>2,338,719</b>	<b>187,499</b>	<b>8.02%</b>
QLD	FSS	Substantiation – 36.3%	85,430	17,501	20.5%
	IFSS		151,254	43,332	28.6%
	Protective Intervention Services	OOHC – 57.8%	371,209	18,709	5%
	Care Services		1,672,335	28,983	1.7%
	<b>Total</b>		<b>2,280,228</b>	<b>108,525</b>	<b>4.8%</b>
WA	FSS and IFSS	Substantiation – 47%	42,626	10,244	24%
	Protective Intervention Services	OOHC – 57.8%	np	np	np
	Care Services		np	np	np
	<b>Total</b>		<b>na</b>	<b>na</b>	<b>na</b>
SA	FSS	Substantiation – 31.7%	55,148	3,318	6%
	IFSS		109,871	12,063	11%
	Protective Intervention Services	OOHC – 37.2%	78,233	620	0.8%
	Care Services		744,018	38,237	5.1%
	<b>Total</b>		<b>987,216</b>	<b>54,239</b>	<b>5.5%</b>
TAS	FSS	Substantiation – 37.8%	31,609	714	2.3%
	IFSS		16,512	543	3.3%
	Protective Intervention Services	OOHC – 39.9%	35,127	0	0.0%
	Care Services		114,903	398	0.3%
	<b>Total</b>		<b>198,151</b>	<b>1,655</b>	<b>0.8%</b>
ACT	FSS	Substantiation – 38.2%	12,574	3,496	27.8%
	IFSS		11,870	2,083	17.55%
	Protective Intervention Services	OOHC – 29.9%	31,283	91	0.29%
	Care Services		87,778	0	0
	<b>Total</b>		<b>143,505</b>	<b>5,6690</b>	<b>3.95%</b>
NT	FSS		88,132	26,233	30%
	IFSS**	Substantiation – 87.3%	4	0	0%
	Protective Intervention Services	OOHC – 89.3%	28,539	300	1%
	Care Services		157,007	1,664	1%
	<b>Total</b>		<b>273,683</b>	<b>28,197</b>	<b>10%</b>
<b>TOTAL (exc. WA)</b>		<b>OOHC - 41.4%</b>	<b>9,286,106</b>	<b>632,436</b>	<b>6.80%</b>

• Figures in this table are reported by state and territory governments directly to SNAICC. Due to different counting rules these figures may not match those reported in SCRGSP 2025, Table 16A.8.

\*\* The Australian Government also funds IFSS in the NT, including funding to ACCOs that is not included in this table. In 2023-24, the total of that funding was \$10,650,000, and the amount allocated to ACCOs is unknown.

Source: data provided by state and territory governments to SNAICC, SCRGSP 2025, Tables 16A.1 and 16A.42; AIHW 2025, Table T3.

TABLE 8: Proportion of Aboriginal and Torres Strait Islander children receiving FSSs and/or IFSSs who are receiving services from ACCOs, by jurisdiction (2023-24)

	Type of Service	Number of Aboriginal and Torres Strait Islander children accessing services with ACCOs	Number of Aboriginal and Torres Strait Islander children accessing services with all service providers	Proportion of Aboriginal and Torres Strait Islander children receiving services, who are accessing services with ACCOs
NSW	FSS	3,622	16,766	21.6%
	IFSS	1,075	6,131	17.5%
VIC*	FSS	2,319	4,337	53.5%
	IFSS	1,323	2,042	64.8%
QLD	FSS	2,729	7,128	38.3%
	IFSS	5,466	7,755	70.5%
WA	FSS	Not available	Not available	
	IFSS	Not available	Not available	
SA	FSS	Not available	Not available	
	IFSS	796	2,211	36%
TAS	FSS	Not available	Not available	
	IFSS	Not available	Not available	
ACT	FSS	Not available	219	
	IFSS	64	227	28.2%
NT	FSS	Not available	Not available	
	IFSS	Not available	Not available	

• Victoria reported number of children commencing services with ACCOs as distinct from those accessing services.

Source: data provided by state and territory governments to SNAICC. Data on FSS and IFSS was not available in WA, Tasmania and the NT, and data on FSS was not available in SA and the ACT.

Notes: 'All service providers' includes ACCO, NGO and government services.





# CASE STUDY

## VACCA – NUGEL PROGRAM

**The Victorian Aboriginal Child and Community Agency (VACCA) is a Victorian statewide ACCO supporting Aboriginal and Torres Strait Islander children, young people, families, and community members in Victoria.**

Established in 1977, VACCA has been serving the community with an extensive range of programs providing culturally safe, trauma informed support to assist in healing and building cultural and community connections. VACCA has long been a peak voice in advocacy efforts for Victoria's child and family services system to move from a state-led to an Aboriginal-led system. With significant shifts in the Victorian legislative and policy landscape, this vision is increasingly being realised. VACCA's Nugel Program provides an example of significant achievements in this broader shift towards an Aboriginal Community of Care Model and is a key initiative that is addressing the over-representation of Aboriginal children and families in the child protection system.

### NUGEL PROGRAM

Nugel, a Woiwurrung word meaning 'belong', implements Section 18 of the Children, Youth and Families Act 2005 which allows for the transfer of specified functions and powers previously held by the Department of Families Fairness and Housing (DFFH) Child Protection to authorised ACCOs. The state-wide program for this is called Aboriginal Children in Aboriginal Care (ACAC).

When VACCA first launched its Nugel program in 2017, the first of its kind in Australia, Nugel were authorised to provide care, case planning and case management only to Aboriginal children already subject to Child Protection Orders. VACCA Nugel now have the capacity to work with 468 children and their families, across 13 Nugel teams across Northern, Southern and Western Metropolitan Melbourne, Ovens Murray and Inner Gippsland. VACCA is now also one of four ACCOs in Victoria authorised to implement the ACAC program.

### NUGEL – COMMUNITY PROTECTING BOORAI EXPANDING THE SCOPE OF AUTHORISATION

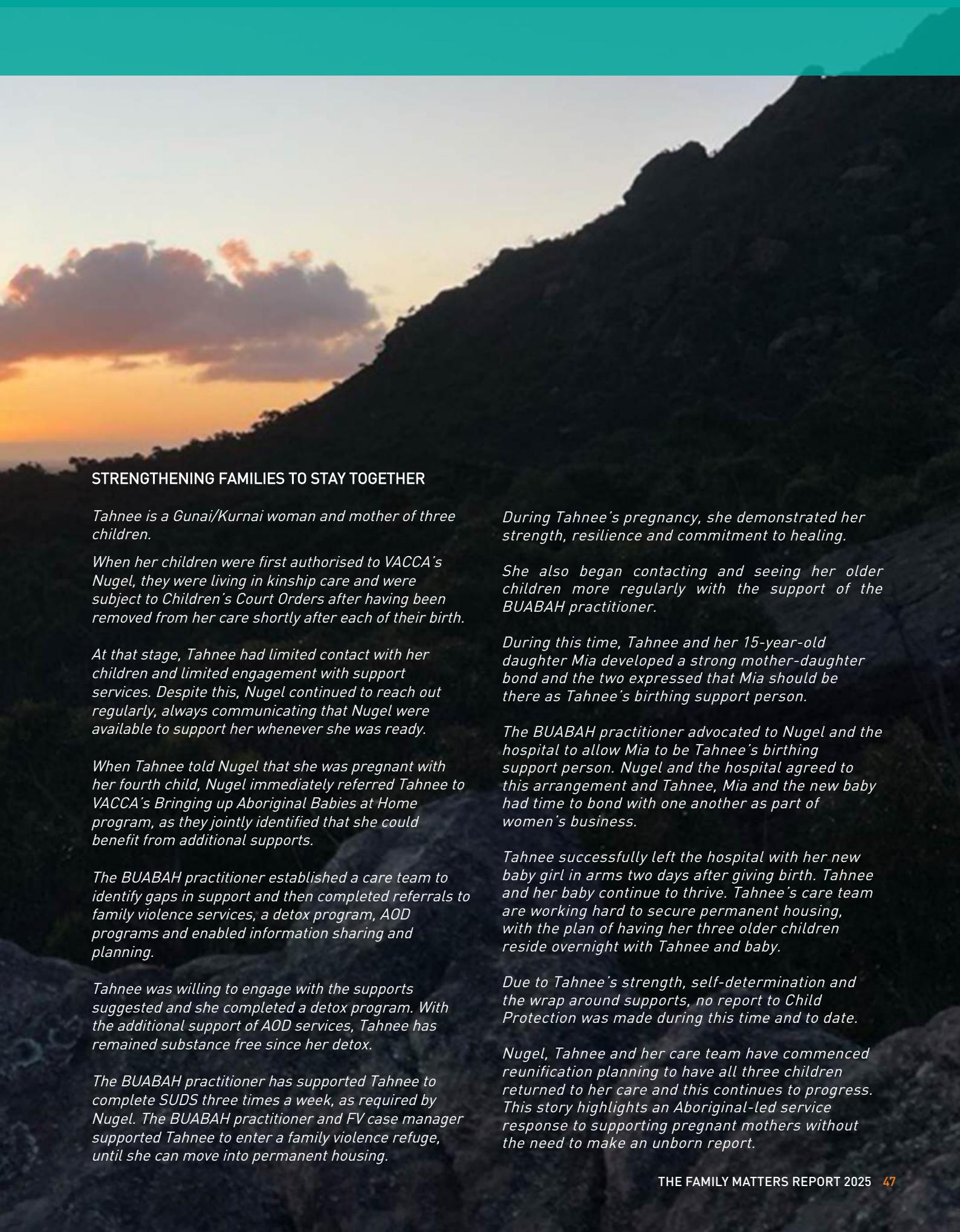
After much advocacy, legislative reform in 2023 expanded the scope of authorisation to include an Aboriginal-led alternative response to child protection reports that would otherwise be subject to an investigation from Child Protection. VACCA alongside Bendigo and District Aboriginal Cooperative (BDAC) worked together to design, develop and pilot the model which allows ACCOs to engage with families earlier in the child protection pathway with the aim of diverting them away from this system. The name for this pilot is Community Protecting Boorais. VACCA's Nugel – Community Protecting Boorais team in Northern Metropolitan Melbourne investigated child protection reports in relation to 119 Aboriginal children in FY 24/25. Nugel – Community Protecting Boorais Northern Metropolitan is expanding to further teams in FY 25/26. BDAC's Wartaka also operates a Community Protecting Boorais Team in Bendigo.

### APPROACH AND OUTCOMES

Across all phases of Nugel, VACCA believes that Aboriginal children 'belong' and have a sacred place at the centre of Aboriginal communities. This belief and commitment is at the heart of Nugel and the essence of Nugel's practice approach. Nugel aims to be careful and reflective, not reactive and rushed; to walk alongside children and families with them leading the way as much as is practically possible; to work in partnership with families, ensuring services are wrapped around the family as a whole in order to strengthen safety for the child; and to continue to promote cultural connection and identity so that children know who they are and that they belong. Ultimately, Nugel aims to support and strengthen the rightful roles of Aboriginal families and communities in the care, protection and guidance of their own children – understanding that even when a child cannot remain at home, it is important to continue to involve families in planning and decision making for their child's care journey – and to never give up on the possibility of reunification.

This approach has been achieving significant outcomes for children and families.

- A DFFH sponsored evaluation of both VACCA and BDACs ACAC Programs found that the DFFH reunification rate was about 12% and ACAC reunification rate was as high as 24%.
- Since the 2020 evaluation, VACCA has expanded Nugel's operation, enabling VACCA to continue achieving significant outcomes, including more children being reunified with their parents, children reconnecting with siblings and extended family members, and strengthened connections to culture. This includes substantial success in reunifying children previously on Care by Secretary Orders, meaning that reunifications were made where all parental responsibility for these children had previously been removed. In multiple instances, Nugel has reunified children on Long Term Care Orders back into the care of their parents.
- Although, the initial evaluation of the Community Protecting Boorais Pilot is still underway, in the first 12 months of operation, only 12 out of a total of 91 children referred to VACCA for investigation of alleged abuse were placed out of parental care, majority of children (7) were placed into a kinship arrangement, making VACCA's removal rate substantially less than the governments Child Protection.
- In the first 12 months of operation Nugel issued protection applications for 30% of children who entered Nugel – Community Protecting Boorais. As the team gained experience in embedding the Nugel practice approach, the second year of operation showed a significant decrease in the number of protection applications issued to 9% of children entering Nugel – Community Protecting Boorais. This demonstrates the significant achievements Nugel has demonstrated for families in addressing the overrepresentation of Aboriginal children and families in the child protection system.



## STRENGTHENING FAMILIES TO STAY TOGETHER

*Tahnee is a Gunai/Kurnai woman and mother of three children.*

*When her children were first authorised to VACCA's Nugel, they were living in kinship care and were subject to Children's Court Orders after having been removed from her care shortly after each of their birth.*

*At that stage, Tahnee had limited contact with her children and limited engagement with support services. Despite this, Nugel continued to reach out regularly, always communicating that Nugel were available to support her whenever she was ready.*

*When Tahnee told Nugel that she was pregnant with her fourth child, Nugel immediately referred Tahnee to VACCA's Bringing up Aboriginal Babies at Home program, as they jointly identified that she could benefit from additional supports.*

*The BUABAH practitioner established a care team to identify gaps in support and then completed referrals to family violence services, a detox program, AOD programs and enabled information sharing and planning.*

*Tahnee was willing to engage with the supports suggested and she completed a detox program. With the additional support of AOD services, Tahnee has remained substance free since her detox.*

*The BUABAH practitioner has supported Tahnee to complete SUDS three times a week, as required by Nugel. The BUABAH practitioner and FV case manager supported Tahnee to enter a family violence refuge, until she can move into permanent housing.*

*During Tahnee's pregnancy, she demonstrated her strength, resilience and commitment to healing.*

*She also began contacting and seeing her older children more regularly with the support of the BUABAH practitioner.*

*During this time, Tahnee and her 15-year-old daughter Mia developed a strong mother-daughter bond and the two expressed that Mia should be there as Tahnee's birthing support person.*

*The BUABAH practitioner advocated to Nugel and the hospital to allow Mia to be Tahnee's birthing support person. Nugel and the hospital agreed to this arrangement and Tahnee, Mia and the new baby had time to bond with one another as part of women's business.*

*Tahnee successfully left the hospital with her new baby girl in arms two days after giving birth. Tahnee and her baby continue to thrive. Tahnee's care team are working hard to secure permanent housing, with the plan of having her three older children reside overnight with Tahnee and baby.*

*Due to Tahnee's strength, self-determination and the wrap around supports, no report to Child Protection was made during this time and to date.*

*Nugel, Tahnee and her care team have commenced reunification planning to have all three children returned to her care and this continues to progress. This story highlights an Aboriginal-led service response to supporting pregnant mothers without the need to make an unborn report.*

## 1.2 Out-of-home care

### CARE AND PROTECTION ORDERS

There are several types of care and protection orders available to statutory child protection agencies. The names of these orders differ across states and territories, but are reported on in consolidated categories by the AIHW (AIHW 2025, Table S4.10). Third-party parental responsibility orders (TPPROs) and guardianship and custody orders (GCOs) (*both described below*) account for the vast majority of children on orders. Finalised supervisory orders, interim and temporary orders and administrative arrangements account for a much smaller number of children (AIHW 2025, Table S4.10).

### THIRD-PARTY PARENTAL RESPONSIBILITY ORDERS

Third-party parental responsibility orders (TPPROs) may be ordered if a parent is assessed as being unable to care for a child or children. Under the order, parental responsibility is transferred to a relative or other nominated person(s), such as an officer of the state or territory department, whom the court considers appropriate. The order transfers all duties, powers, responsibilities and authority to which parents are entitled by law. They can be short or long-term orders (AIHW 2025f).

TPPROs are often excluded from OOHC statistics presented by state, territory and federal governments because, once finalised, the government department no longer holds legal responsibility for the child, even though the child remains in long-term care. Excluding children on TPPROs from the count of children in OOHC underreports the number of children in care. This is especially problematic for Aboriginal and Torres Strait Islander children in care, as they are significantly over-represented among children on TPPROs.

### GUARDIANSHIP AND CUSTODY ORDERS

Most children in OOHC are on a finalised guardianship or custody order (GCO).

Guardianship orders involve the transfer of legal responsibility for a child's long-term welfare to a state or territory agency or a non-government agency. These orders represent a significant level of intervention in both the child's life and their family circumstances and are intended for use only when other options have been exhausted. Under a guardianship order, the guardian assumes responsibility for major decisions affecting the child's wellbeing, such as education, health care, living arrangements and financial matters. However, guardianship does not include authority over the child's daily care and control, which is instead conferred through custody orders. They can be short or long-term orders (AIHW 2025f).

Custody orders place a child in the care of the relevant statutory child protection or a non-government agency, granting responsibility for the child's day-to-day needs and supervision. In these arrangements, the parent often retains legal guardianship, meaning they continue to hold responsibility for long-term decisions. Custody alone does not extend to matters concerning the child's broader welfare or future planning. They can be short or long-term orders (AIHW 2025f).\*

\* Short and long-term care arrangements

Short and long-term care arrangements refer to arrangements made under legal orders which are put in place for a specified period. For short-term orders, this would be for a specified period of 2 years or less. Long-term orders, greater than 2 years, generally until the child turns 18 (AIHW 2025f).

Finalised orders

A 'finalised' order of any type (for example, a long-term finalised third-party parental responsibility order) indicates an order that have been finalised by a court, in contrast to unfinalised orders which include as applications to a court for care and protection. In some jurisdictions, interim and temporary orders are put into place while a finalised order is sought (AIHW 2025f). This report presents data on finalised orders only.



## OVER-REPRESENTATION IN OUT-OF-HOME CARE

The number of children in OOHC at a given point in time (for example, as at 30 June 2024) is a function of three factors:

- the number of children in OOHC at a previous point in time (for example, as at 30 June 2023),
- the number of children who enter and leave OOHC during the intervening year (for example, 2023–24),
- the length of time that children spend in OOHC (AIHW 2025, p. 496).

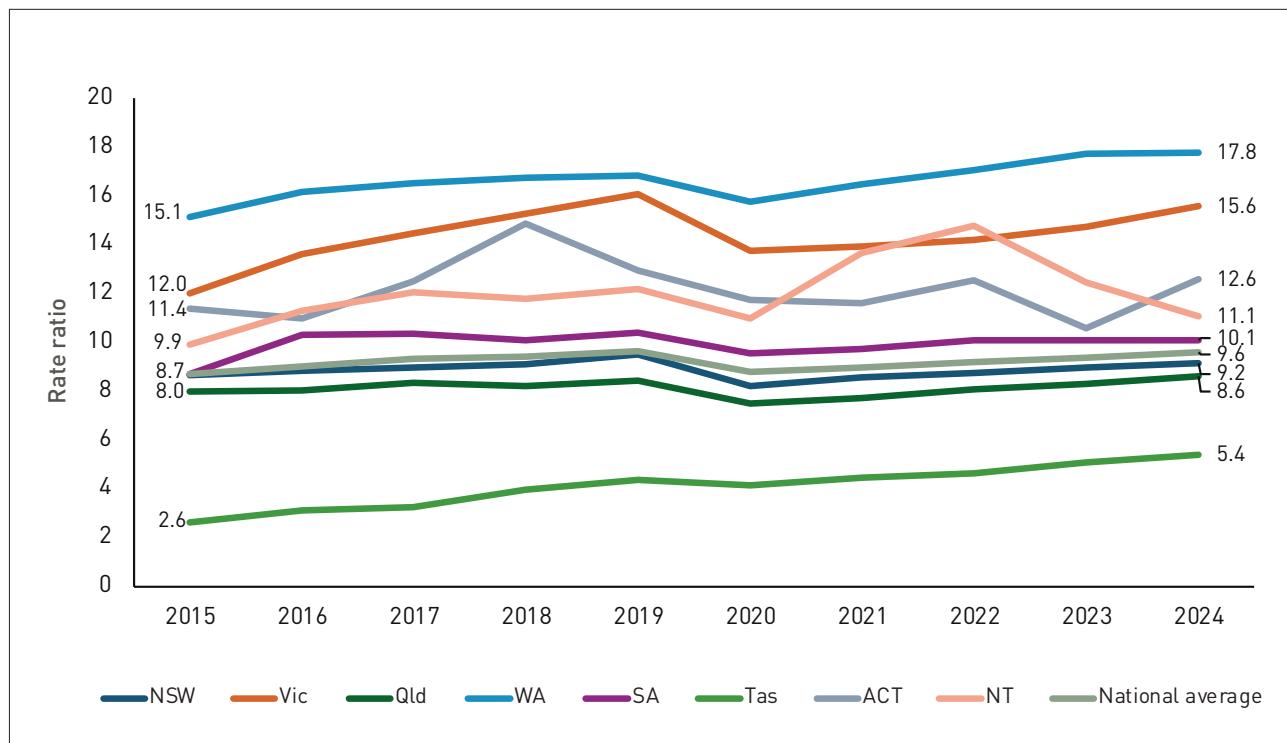
These factors are all important for understanding long-term trends. Even if the number of children entering OOHC each year remains relatively stable, if children remain in OOHC for longer periods, the number of children in OOHC will increase over time (AIHW 2025, p. 496). To effectively address the number of children in care, governments need to address all three: admissions into care, the duration of time spent in care and the supports available to prevent return to care.

The rate (per 1,000) of Aboriginal and Torres Strait Islander and non-Indigenous children in OOHC and on

TPPROs has steadily increased over the past five years nationally, while there has been a downward trend for non-Indigenous children in OOHC (AIHW 2025, Table T3). As at 30 June 2024, Aboriginal and Torres Strait Islander children across Australia were 9.6 times more likely to be in OOHC than non-Indigenous children. This is a 0.2 increase from the previous year, and a rise of 0.8 since 2020 (AIHW 2025, Table s4.10).

Victoria had the highest reported rate of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs, at 105.9 per 1,000, and Aboriginal and Torres Strait Islander children were 15.6 times more likely to have been in OOHC and on TPPROs than their non-Indigenous peers on 30 June 2024, who are represented on these orders at a rate of 6.8 per 1,000 (AIHW 2025, Table T3). This is an increase from 100.3 in 2023. Victoria has the highest rate of children in care for both Aboriginal and Torres Strait Islander and non-Indigenous children. In SA, Aboriginal and Torres Strait Islander children were in OOHC and on TPPROs at a rate of 86.8 per 1,000, compared to 8.6 per 1,000 for non-Indigenous children. This makes Aboriginal and Torres Strait Islander children in SA 10.1 times more likely to be in OOHC and on TPPROs (AIHW 2025, Table T3).

**FIGURE 14: Ten-year trend: over-representation of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs by jurisdiction (2015–24)**



Sources: AIHW 2016, 2017, 2018, 2019, 2020, 2025, Table T3.

Note: Data from 2014–2016 is not directly comparable with data from 2017 onwards due to changes in the way children in OOHC were counted across all jurisdictions. Data from 2017 onwards includes children in OOHC or on TPPROs, consistent with the new standard definition of 'children in OOHC'.

Western Australia recorded a rate of 67.5 Aboriginal and Torres Strait Islander children in OOHC and on TPPROs per 1,000. However, the disparity between non-Indigenous children remained significant, with Aboriginal and Torres Strait Islander children in WA 17.8 times more likely to have been in OOHC and on TPPROs (AIHW 2025, Table T3). This is consistent with a rate of over-representation of 17.7 in the previous year (AIHW 2025, Table T3). The rate of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs in NSW was 55 per 1,000, compared to 6 per 1,000 for non-Indigenous children. This is a rate ratio of 9.2, a slight increase from 9.0 the previous year (AIHW 2025, Table T3). NSW has the highest population of all Australian jurisdictions, so data from this state exerts considerable influence in shaping national statistics.

In Qld, the rate of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs was 49.1 per 1,000, compared with 5.7 per 1,000 for non-Indigenous children. This means Aboriginal and Torres Strait Islander children were 8.6 times more likely to be in OOHC and on TPPROs than non-Indigenous children. The rate ratio increased by 0.3 from the previous year and by 1.1 over five years (AIHW 2025, Table T3). Aboriginal and Torres Strait Islander children in Tas were 5.4 times more likely to be in OOHC and on TPPROs than non-Indigenous children, which remains the lowest rate in the country but still represents a 0.3 increase in the over-representation rate from last year and a 1.3 increase over five years (AIHW 2025, Table T3).

The two jurisdictions with the smallest populations, the ACT and the NT, experience greater volatility in their OOHC data. Even small changes in case numbers can lead to disproportionately large shifts in reported rates, making year-to-year comparisons more complex and less reliable for trend analysis. In the NT, Aboriginal and Torres Strait Islander children were 11.1 times more likely to be in OOHC and on TPPROs, at a rate of 29.9 per 1,000 compared to 2.7 per 1,000 for non-Indigenous children (AIHW 2025, Table T3). The NT has the lowest rate per 1,000 of children in OOHC and on TPPROs for Aboriginal and Torres Strait Islander and non-Indigenous children. Aboriginal and Torres Strait Islander children in the ACT were the second most likely to be in OOHC and on TPPROs at a rate of 69.2 per 1,000, making them 12.6 times more likely to have been in OOHC and on TPPROs than their non-Indigenous peers on 30 June 2024 (AIHW 2025, Table T3). This is an increase from 10.6 in the previous year (AIHW 2025, Table T3).

Target 12 of Closing the Gap aims to reduce the over-representation of Aboriginal and Torres Strait Islander children aged 0–17 in OOHC by 45% by 2031. However, according to the Productivity Commission's latest assessment, as of July 2025, this target is not on track to be met, and most jurisdictions are reporting worsening rates of over-representation or showing no change (Productivity Commission 2025).

## FINALISED GUARDIANSHIP OR CUSTODY ORDERS AND THIRD-PARTY PARENTAL RESPONSIBILITY ORDERS

As at 30 June 2024, there were 17,472 Aboriginal and Torres Strait Islander children on GCOs and a further 3,802 on TPPROs (with a total of 21,274 on one of these orders) (AIHW 2025, Table S4.10). This is compared to a total of 29,141 (20,172 GCOs and 8,969 TPPROs) for non-Indigenous children. Aboriginal and Torres Strait Islander children were placed on GCOs at a rate of 44 per 1,000, and on TPPROs at a rate of 9.6 per 1,000, compared to the non-Indigenous rates of 3.7 and 1.7, respectively. Combined, Aboriginal and Torres Strait Islander children were 11.8 times more likely to be on either a GCO or TPPRO than non-Indigenous children (AIHW 2025, Table S4.10).

As shown in Figure 15, over-representation was highest in Vic, where Aboriginal and Torres Strait Islander children were 22.6 times more likely than non-Indigenous children to be placed on a GCO or TPPRO. In WA, the rate was 19. NSW, SA, Qld, NT and the ACT all had lower rates of Aboriginal and Torres Strait Islander over-representation on GCOs and TPPROs, between 9 and 14 per 1,000 (AIHW 2025, Table S4.10).

## LONG-TERM ORDERS

18,197 of Aboriginal and Torres Strait Islander children in GCOs and TPPROs were on long-term orders (14,398 on long-term GCOs and 3,799 on long-term TPPROs). This represents more than 85% percent of the total number on GCOs and TPPROs (AIHW 2025, Table S4.10), indicating a systemic trend towards long-term placement for Aboriginal and Torres Strait Islander children.

This is despite all evidence indicating that children on long-term orders are at greater risk of losing family and cultural connections (SNAICC 2024).

The use of TPPROs raises particular concern about whether Aboriginal and Torres Strait Islander children's cultural rights, identity and connections are being adequately protected. The nature of these orders means there is reduced departmental involvement, which not only limits transparency and accountability but also inhibits community or ACCOs' involvement or oversight. Long-term orders also often limit the extent to which reunification planning will be prioritised.

Nationally, in 2023-24, Aboriginal and Torres Strait Islander children were 9.7 times more likely to be placed on long-term GCOs or TPPROs than non-Indigenous children, at a rate of 45.8 per 1,000. WA continues to have the highest rate ratio of Aboriginal and Torres Strait Islander children placed on long-term orders (18), while SA and Vic have the highest placement rates per 1,000 Aboriginal and Torres Strait Islander children (77.7 and 64.7, respectively).

TABLE 9: Ten-year trend: over-representation of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs, by jurisdiction (2015–24)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
<b>NSW</b>	8.7	8.8	9.0	9.1	9.5	8.2	8.6	8.7	9.0	9.2
<b>VIC</b>	12.0	13.6	14.5	15.3	16.1	13.8	13.9	14.2	14.8	15.6
<b>QLD</b>	8.0	8.0	8.4	8.2	8.4	7.5	7.7	8.1	8.3	8.6
<b>WA</b>	15.1	16.2	16.5	16.7	16.8	15.8	16.5	17.1	17.7	17.8
<b>SA</b>	8.7	10.3	10.3	10.1	10.4	9.5	9.7	10.1	10.1	10.1
<b>TAS</b>	2.6	3.1	3.2	4.0	4.4	4.1	4.5	4.6	5.1	5.4
<b>ACT</b>	11.4	11.0	12.5	14.9	12.9	11.8	11.6	12.5	10.6	12.6
<b>NT</b>	9.9	11.3	12.0	11.8	12.2	11.0	13.6	14.8	12.4	11.1
<b>Aust</b>	8.7	9.0	9.3	9.4	9.6	8.8	9.0	9.2	9.4	9.6

Source: AIHW 2025, Table T3. Data prior to 2019 is drawn from previous Child Protection Australia reports from AIHW.

FIGURE 15: Over-representation of Aboriginal and Torres Strait children on Finalised GCOs and TPPROs, nationally (2023–24)



Source: AIHW 2025 Table S4.10 and Table P3.

Note: NSW and SA did not provide data on non-Indigenous children on short or long-term TPPROs, and as such, rates and rate ratios were not calculated. Data on TPPROs is not available for the NT. Tas data needs to be interpreted with caution due to issues with recording order status.

## REMOVAL INTO OOHC

Removing a child from their family to place them in OOHC is a deeply traumatic experience, not only for the child or children but for each and every member of their family and extended kin known to the child. The overwhelming majority of children will retain vivid memories of the moment and continue to relive it throughout their lives. For those who do not, they will carry the story of their removal from their birth parents for the rest of their lives. Removal signifies a severing of bonds and, in most cases, does not reflect the child or their parents' wishes.

*My children were extremely distressed... they had hold of each other, cuddling and screaming, "We're sorry, Mum. We'll be good. Please, Mum, please."*

**They blamed themselves.** (Aboriginal mother describing her children's removal, quoted in ABC News, 25 Oct 2023).

As well as being removed from their families, kin and communities and care at the highest levels ever in some jurisdictions (SNAICC 2024, Yoorrook 2023), Aboriginal and Torres Strait Islander children's experience of removal mirrors the damage, trauma and violence of colonisation. Research shows that the vast majority of Aboriginal and Torres Strait Islander children who have been removed from their families express a strong desire to be returned to their families and maintain connection with their communities and culture (Burns et al, 2024).

Removal into OOHC is especially problematic for Aboriginal and Torres Strait Islander children and their families. As this report shows, compared to non-Indigenous children in OOHC, Aboriginal and Torres Strait Islander children who are removed from their families face greater risks of harm than non-Indigenous children.

Aboriginal and Torres Strait Islander children are more likely to:

- be placed in a residential care service, the least preferred OOHC option under the Child Placement Principle hierarchy of placements,
- be removed to an environment that lacks cultural safety or understanding (for example, foster care with non-Indigenous carers),
- spend longer in OOHC,
- have more placements,
- have lower reunification rates,
- be reported missing from placement,
- leave school before completing secondary education,
- become parents while in OOHC or soon after leaving,

- suffer abuse while in OOHC,
- have involvement with the youth justice system, and become 'crossover kids' (Yoorrook Justice Commission 2023 and 2025; AHRC 1997; AIHW 2025; CCYP 2021; AIFS 2023; Lima et al., 2020; McDowall et al., 2025; SNAICC 2018).

## ADMITTANCE TO AND DISCHARGE FROM OOHC

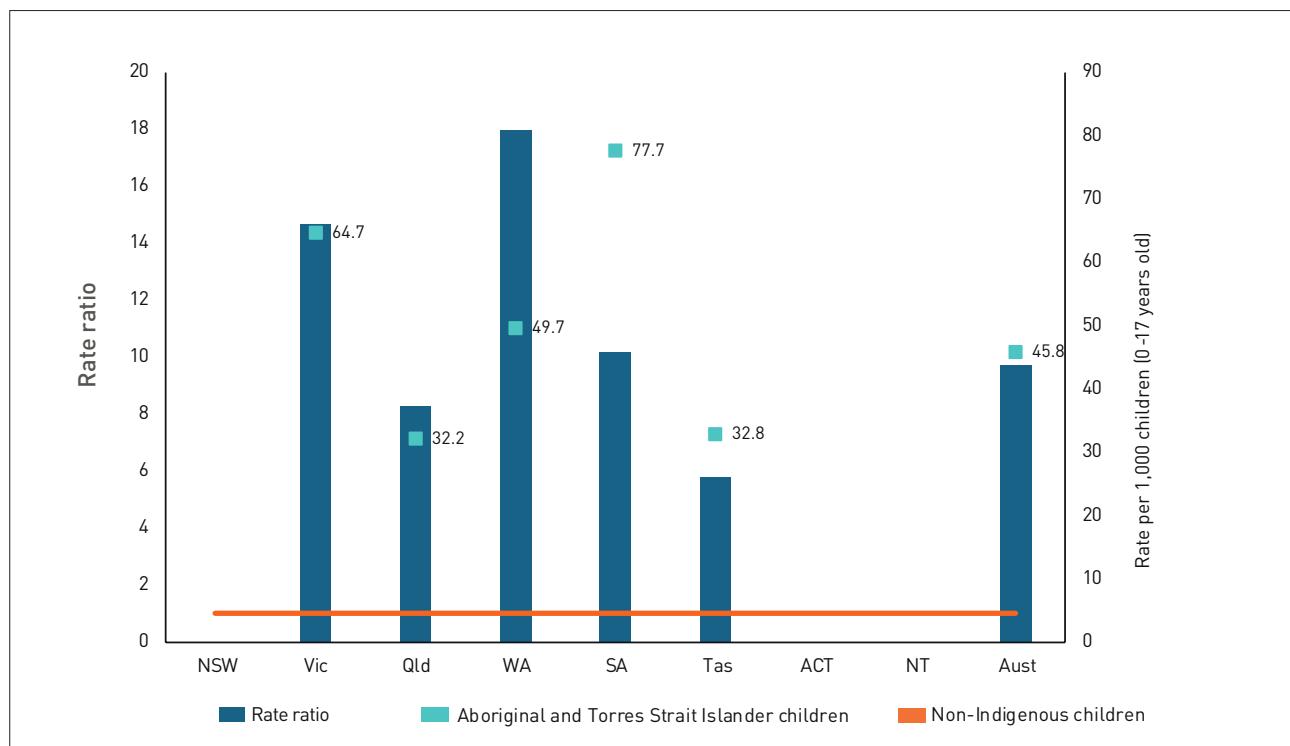
In 2023-24, 4,415 Aboriginal and Torres Strait Islander children were admitted to OOHC, accounting for 41% of the total 10,778 children admitted to care nationally (SCRGSP 2024a, 16A.4). The admission rate for Aboriginal and Torres Strait Islander children was 11.2 per 1,000, compared to 1.2 per 1,000 for non-Indigenous children. This means Aboriginal and Torres Strait Islander children across Australia were 9.6 times more likely to be admitted to OOHC than non-Indigenous children (SCRGSP, 2024a, 16A.4). The over-representation rate has decreased slightly from 11.6 in 2023, after peaking at 12 in 2020. For non-Indigenous children, both removal and exit rates (per 1,000) have remained stable at 1.2, with a very slight downward trend from 1.5 and 1.4, respectively, in 2020.

In the same year, 4,291 Aboriginal and Torres Strait Islander children were discharged from OOHC and did not return to OOHC within 60 days. This represents 39% of the total 10,989 children discharged from OOHC during the year, excluding those who exited care upon turning 18 (aged out of care) (AIHW 2025, S5.2).

In 2021-22, exits briefly surpassed admissions due to a dip in admissions to OOHC. While direct evidence is limited, this temporary shift may reflect service disruptions and policy adaptations during the COVID-19 pandemic.



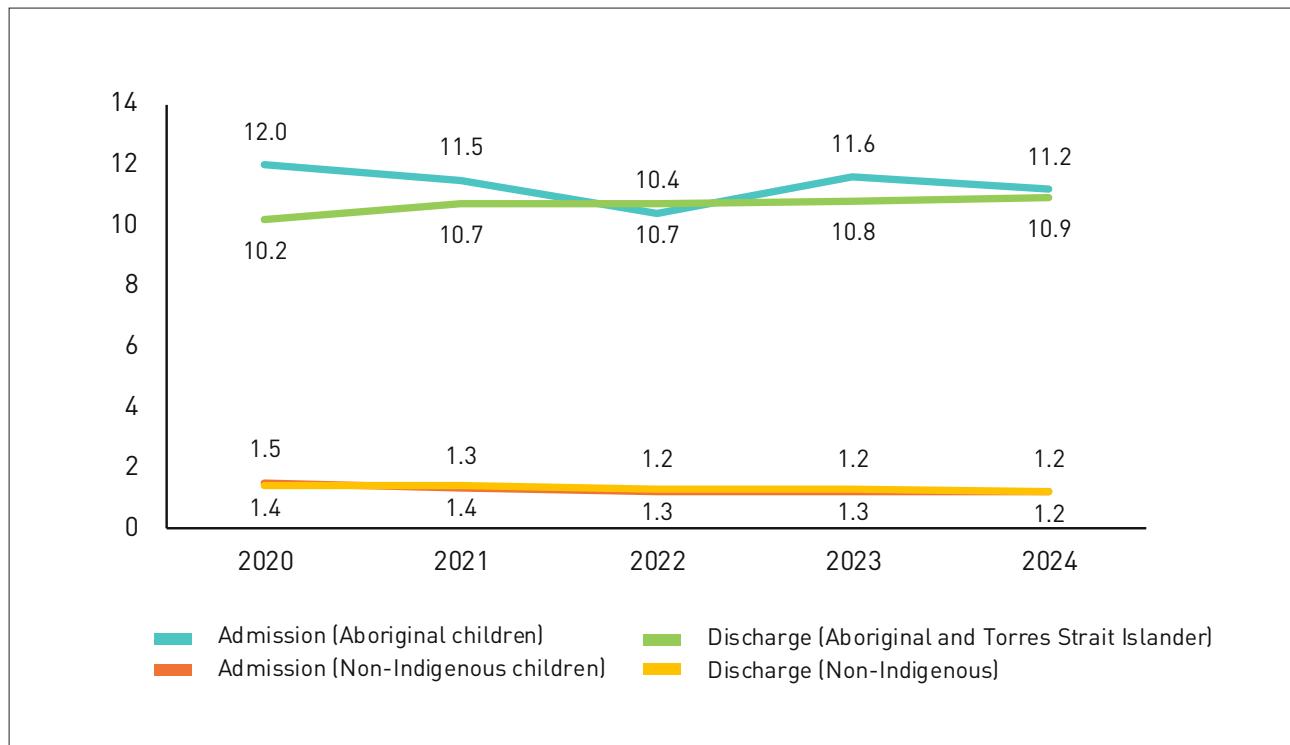
**FIGURE 16: Over-representation of Aboriginal and Torres Strait Islander children on GCOs and TPPROs combined, nationally (2023-24)**



Source: AIHW 2025, Table S4.10 and Table P3.

Note: NSW, ACT and NT did not provide data on non-Indigenous children on short or long-term TPPROs and as such, rates and rate ratios were not calculated. Tas data needs to be interpreted with caution due to issues with recording order status.

**FIGURE 17: Five-year trend: rate (per 1,000) of OOHC admissions and discharges for all children, by Aboriginal and Torres Strait Islander status, nationally (2020-2024)**



Source: AIHW 2025, Tables S5.17 and S5.19.

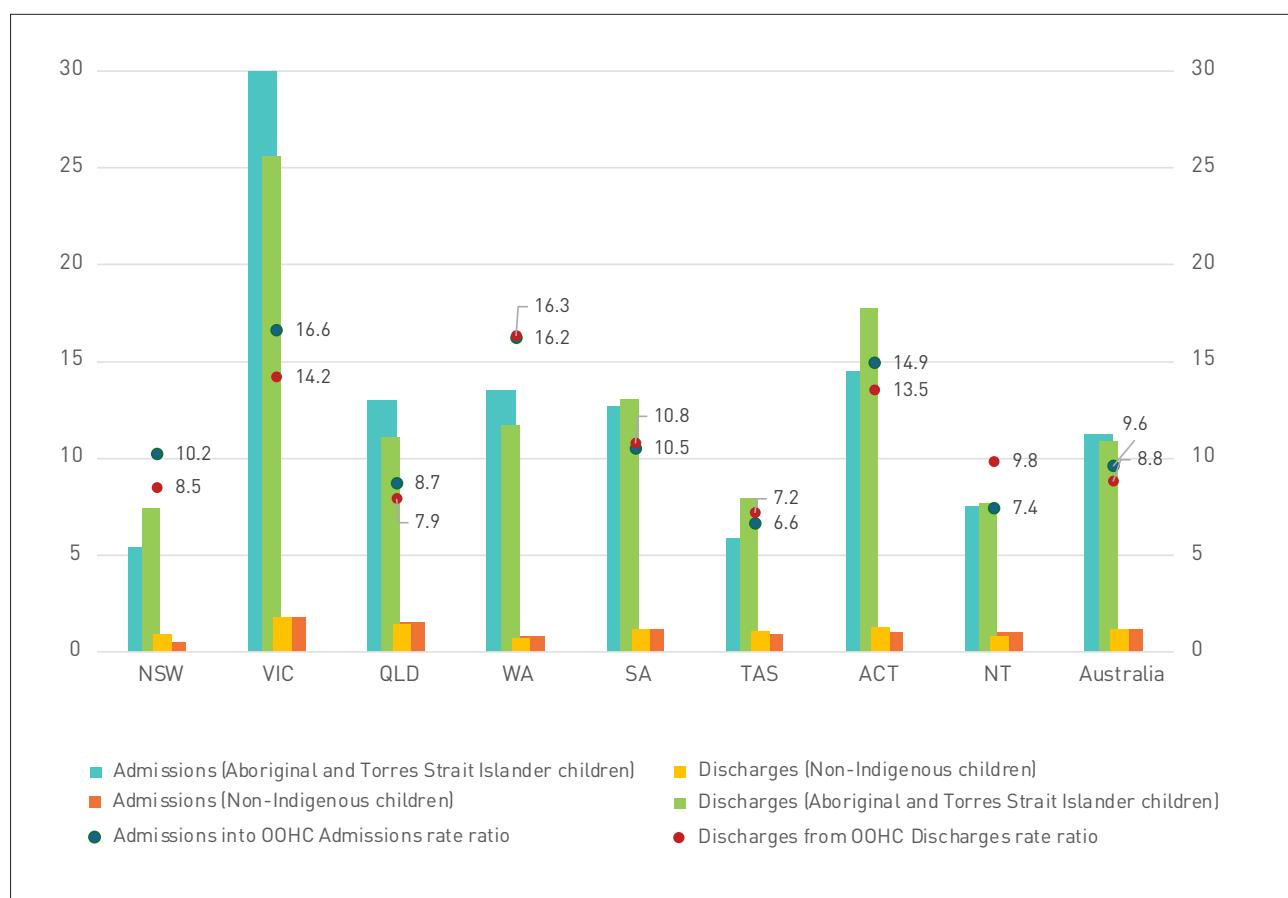
Figure 18 presents a national overview of the persistent over-representation of Aboriginal and Torres Strait Islander children in OOHC admissions and discharges over the past decade. Aboriginal and Torres Strait Islander children are 9.6 times more likely to be admitted to OOHC and 8.8 times more likely to be discharged from OOHC than their non-Indigenous counterparts. Admissions into care for Aboriginal and Torres Strait Islander children continue to outpace discharges, in contrast to a stable rate for non-Indigenous children (AIHW 2025, Tables S5.17 and S5.19).

Victoria reported a significantly high rate of Aboriginal and Torres Strait Islander children admitted into OOHC, at 30.1 per 1,000. This is an outlier, with most jurisdictions reporting rates between 12 and 14 per 1,000, meaning Aboriginal and Torres Strait Islander

children in Victoria are 18.6 times more likely to be removed into OOHC (AIHW 2025, Tables S5.17 and S5.19). The lowest rates of admission of Aboriginal and Torres Strait Islander children into OOHC were reported in NSW and Tas, with 5.4 and 5.9 per 1,000, respectively (AIHW 2025, Table S5.17).

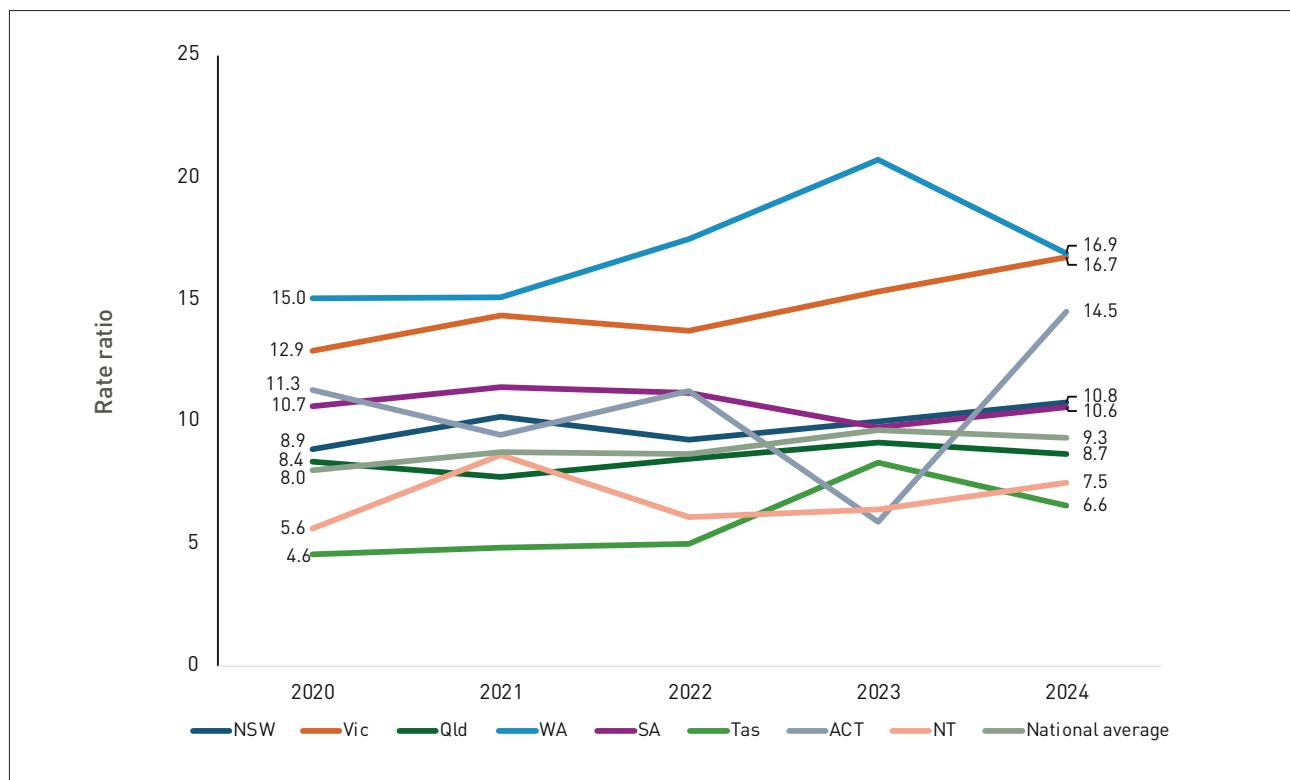
Vic also reported the highest rate of discharge of Aboriginal and Torres Strait Islander children from OOHC, at 25.6 per 1,000. Again, this exceeds other jurisdictions, with the ACT reporting a rate of 17.7 per 1,000, followed by SA, WA and Qld with rates between 11 and 13 per 1,000. The lowest rate of discharge of Aboriginal and Torres Strait Islander children from care was reported in NSW, at 7.4 per 1,000 (AIHW 2025, Table S5.19).

**FIGURE 18: Rates (per 1,000) and rate ratios of admissions to and discharges from OOHC for Aboriginal and Torres Strait Islander and non-Indigenous children by jurisdictions (2023-24)**



Source: AIHW 2025, Tables S5.17 and S5.19.

**FIGURE 19: Five-year trend: over-representation of Aboriginal and Torres Strait Islander children admitted to OOHC by jurisdiction (2020-2024)**



Source: AIHW 2025, Table S5.17.

Note: NSW data were revised from 2021–22 onwards to align with reporting requirements for the National Minimum Data Set.

## EXIT PATHWAYS

Exit pathways from OOHC reported by the AIHW include reunification, transition to a TPPRO, adoption, ageing out of care and a broad 'other' category (AIHW 2025e, Table 10.13).

Reunification is typically the preferred outcome for both Aboriginal and Torres Strait Islander children and non-Indigenous children, as the remaining pathways often result in separation from family, community and culture.

While reunification, TPPROs and adoption are discussed elsewhere in this report, ageing out of OOHC can indicate that insufficient efforts were made to support reunification before the child reached adulthood. This can contribute to a range of poor outcomes for young adults as they transition to independence, including disconnection, poor mental health and homelessness.

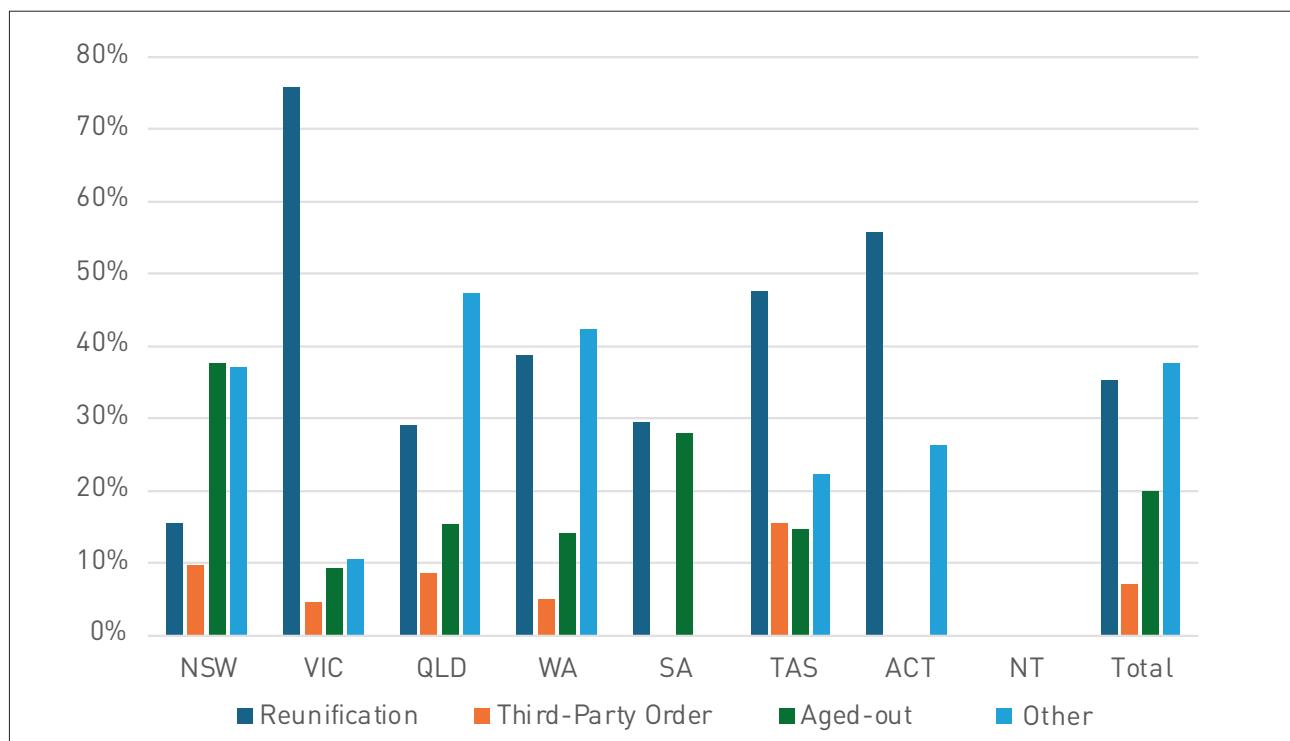
Of particular concern is the 'other' category, which, in 2023–24, included 966 children, including Aboriginal and Torres Strait Islander and non-Indigenous children, who exited to placements outside the scope of OOHC, such as independent living, trial reunification without formal oversight, and, notably, detention (AIHW 2025e, Table 10.13).

Nationally, 37.6% of Aboriginal and Torres Strait Islander children exited OOHC to 'other' circumstances in 2023–24 (AIHW 2025e, Table 10.13). This figure was highest in Qld (47.4%), followed by WA (42.3%) and NSW (37%). Vic reported the lowest rate of 10.4%. Concerningly, the NT and SA do not provide data on the number of children exiting to 'other' circumstances. In the NT, this figure was previously reported at a staggering 63.6% in 2022–23 (AIHW 2025e, Table 10.13).

A further 2,081 children exited care with no recorded pathway at all (AIHW 2025e, Table 10.13). In total, 3,047 children left care under the 'other' category in 2023–24, and 53 per cent (1,612) of whom were Aboriginal and Torres Strait Islander.

There is an unknown number of Aboriginal and Torres Strait Islander children who go missing from care every year before the age of 16. These children are ineligible for leaving care supports and are particularly vulnerable to sexual and criminal exploitation. Although they do not appear in official data collections, they are known to the ACCOs that continue to support them (CCYP 2021, Baidawi et al, 2017).

**FIGURE 20: Exit pathways from OOHC for Aboriginal and Torres Strait Islander children by available jurisdiction (2023-24)**



Source: AIHW 2025e, Table 10.13 p56

Note: Percentages are calculated based on the number of children who exited care during the reporting period. Data for NSW includes children who had exited to a third-party parental responsibility order but who were still counted as being in OOHC due to ongoing case management by the Department of Communities and Justice. This is inconsistent with the way OOHC is calculated in other AIHW publications. 'Other' exit options include children who exit into non-funded independent living, or other living arrangements not covered by OOHC which includes detention.

## REUNIFICATION

Reunification is the process by which children living in OOHC are returned to their parents or original carers. Reunification is considered the preferred permanency option for children in care because it maintains a child's connection to family, culture and identity. When a child is reunified, it signifies that the safety concern that led to their removal has been addressed. Increased rates of reunification suggest that families are receiving effective support to address underlying issues and create safe, stable environments for their children. This outcome is often used as an indicator of success for individual jurisdictions.

For Aboriginal and Torres Strait Islander children, reunification is most effective when led by ACCOs (Newton et al. 2025). When embedded in a community, ACCOs bring a deep understanding of the systemic factors that contribute to child removal and are uniquely positioned to support families in ways that mainstream services often cannot. Newton et al. argue Aboriginal-led approaches to reunification 'centre Aboriginal ways of knowing, being and doing,' and prioritise cultural identity, kinship and connection to Country as core components of child protection and wellbeing, thereby creating a more sustainable pathway for children to return home (Newton et al. 2025). Reunification is

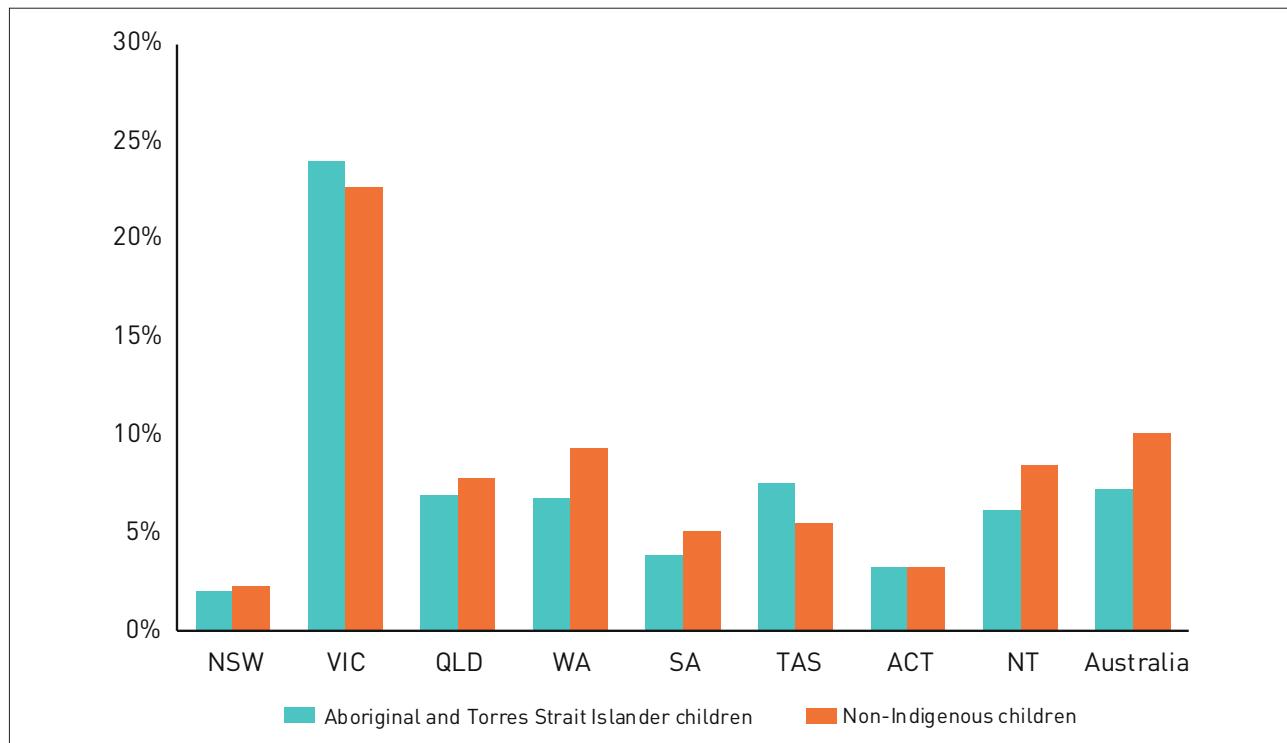
severely compromised by time-limited permanency settings in some jurisdictions (Yoorrook 2023).

In 2022-23, nationally, 7.3% of Aboriginal and Torres Strait Islander children in OOHC or on TPPROs were reunified, compared to 10.1% for non-Indigenous children. The highest reunification rate for all children was recorded in Vic, with more than triple the national average of reunifications for Aboriginal and Torres Strait Islander children (24%). The lowest reunification rates for all children were reported in NSW, where just 2% of Aboriginal and Torres Strait Islander children in care were reunified with family. Alarmingly low reunification rates for Aboriginal and Torres Strait Islander children were also reported in the ACT (3.3%) and SA (3.9%).

As shown in Figure 22, the national reunification rate for Aboriginal and Torres Strait Islander children in OOHC and on TPPROs has remained relatively stable since 2019-20, decreasing from 7.7% to 7.3% in that time. Likewise, the non-Indigenous rate also fell from 11.5% in 2019-20 to 10.1% in 2022-23. Figure 21

In 2022-23, nationally, 7.3% of Aboriginal and Torres Strait Islander children in OOHC or on TPPROs were reunified, compared to 10.1% for non-Indigenous children. The highest reunification rate for all children was recorded in Vic, with more than triple the national average of reunifications for Aboriginal and Torres Strait

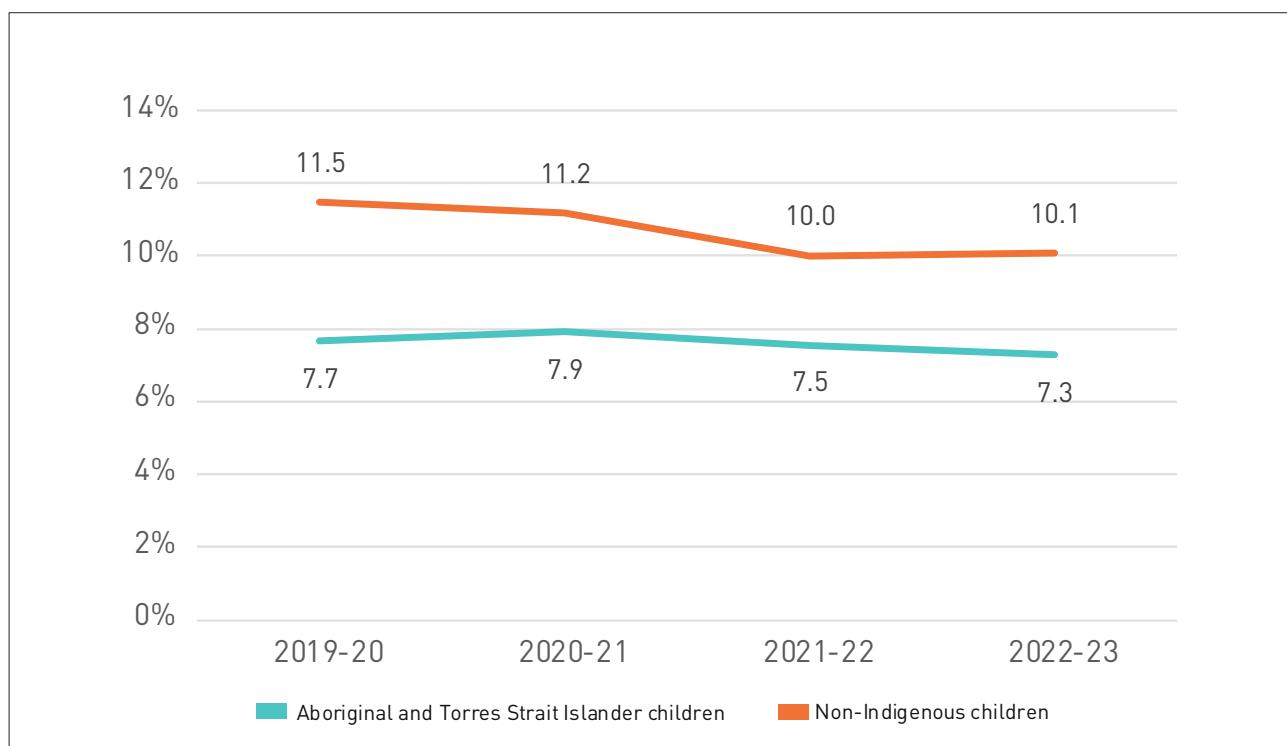
**FIGURE 21: Proportion of Aboriginal and Torres Strait Islander and non-Indigenous children who were reunified from OOHC by jurisdiction (2022-23)**



Source: AIHW 2025e Table 10.18; AIHW 2025, Table T3.

Notes: Proportions have been calculated as the total number of Aboriginal and Torres Strait Islander children who exited to each year divided by the number of Aboriginal and Torres Strait Islander children in OOHC and TPPROs. The same formula was used for non-Indigenous children. This has resulted in a lower proportion of children exiting to reunification, although the pattern remains consistent with previous FM reports.

**FIGURE 22: Proportion of Aboriginal and Torres Strait Islander and non-Indigenous children who were reunified from OOHC (including TPPROs), nationally, 2019-20 to 2022-23**



Source: AIHW 2025e Table 10.18; AIHW 2025, Table T3.

Note: Proportions have been calculated as the total number of Aboriginal and Torres Strait Islander children who exited to reunification (regardless of the type of reunification) each year divided by the number of Aboriginal and Torres Strait Islander children in OOHC and TPPROs. The same formula was used for non-Indigenous children. This has resulted in a lower proportion of children exiting to reunification, although the pattern remains consistent with previous FM reports.

Islander children (24%). The lowest reunification rates for all children were reported in NSW, where just 2% of Aboriginal and Torres Strait Islander children in care were reunified with family. Alarmingly low reunification rates for Aboriginal and Torres Strait Islander children were also reported in the ACT (3.3%) and SA (3.9%).

As shown in Figure 22, the national reunification rate for Aboriginal and Torres Strait Islander children in OOHC and on TPPROs has remained relatively stable since 2019-20, decreasing from 7.7% to 7.3% in that time. Likewise, the non-Indigenous rate also fell from 11.5% in 2019-20 to 10.1% in 2022-23.

## RETURN TO OOHC

While some children who are reunified with their parents or other original carers from OOHC do return to care, this is not the case for most. This outcome is a key indicator of whether the supports provided to families have been sufficient and effective in sustaining reunification over time. The AIHW reports on this measure by tracking whether children re-enter OOHC within 12 months of reunification (AIHW 2025).

As shown in Figure 23, 84.5% of Aboriginal and Torres Strait Islander children who were reunified did not return to care within 12 months, slightly below the non-Indigenous rate of 88% (2025e, Table 10.19). Notably, SA and Tasmania do not report this data. As shown in Figure 23, 83.7% of Aboriginal and Torres Strait Islander children who were reunified did not return to care within 12 months, slightly below the non-Indigenous rate of 85.3% (2025e, Table 10.19). Notably, SA, Tas, the ACT and the NT do not report this data.

## LENGTH OF TIME IN CARE

Length of time in care is a measure of system performance, providing insight into how effectively child welfare services are supporting timely and appropriate outcomes for children in care. Long durations in care can indicate delays in achieving reunification and are indicative of systemic issues such as inadequate case planning or insufficient support for family reunification.

For Aboriginal and Torres Strait Islander children, extended time in care, particularly in non-kinship care, deepens the impact of cultural disconnection and raises the overall numbers and over-representation of children in OOHC. While prevention of entry into care should remain the primary goal, the next preferred outcome is reunification within a short timeframe to minimise disruption and prioritise the child's familial bonds, cultural rights and long-term wellbeing.

Data on length of time in care excludes children on long-term TPPROs, who are generally expected to remain on those orders and in care until they turn 18. As discussed above, Aboriginal and Torres Strait Islander children on TPPROs are significantly over-represented. This exclusion significantly understates the true extent of long-term care. When all care types are considered together, the actual rates of children in care for extended durations are substantially higher.

Aboriginal and Torres Strait Islander children are more likely to spend longer periods continuously in OOHC than their non-Indigenous peers, indicative of systemic failure to prioritise reunification.

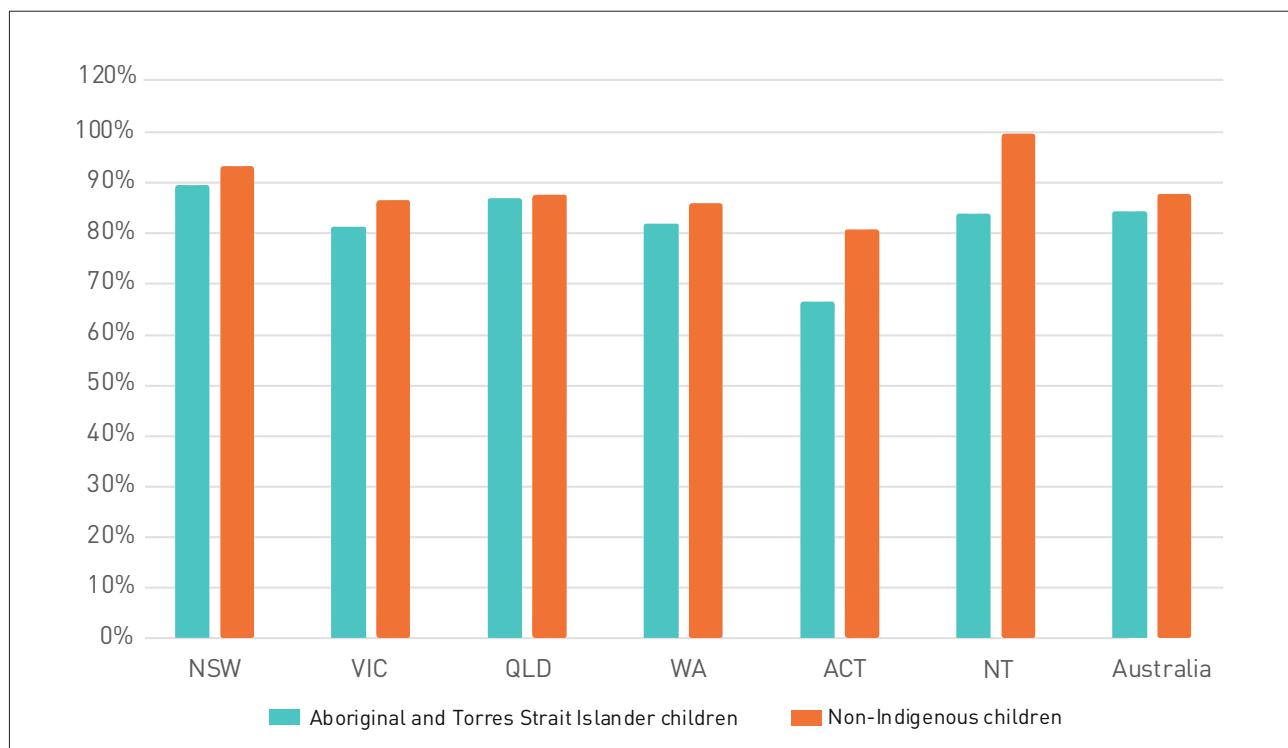
In 2023-24, 45.1% of Aboriginal and Torres Strait Islander children in OOHC had been in care for five or more years, compared to 42.1% of non-Indigenous children (AIHW 2025e, Table S5.14). This is a rate of 25.8 per 1,000 Aboriginal and Torres Strait Islander children in OOHC, compared to 2.1 per 1,000 for non-Indigenous children, making Aboriginal and Torres Strait Islander children 12 times more likely to spend over five years in OOHC. While this is a slight decrease from an over-representation rate of 13 in 2022-23, the rate of Aboriginal and Torres Strait Islander children per 1,000 who were in OOHC for over five years has remained stable, only rising by 0.4. There was a corresponding increase in the rate of non-Indigenous children in OOHC for over five years, from 1.9 in 2022-23 to 2.1 in 2023-24 (AIHW 2025, Tables S5.14 and P5).

Jurisdictional variations reveal deeper disparities, for example, in Vic, 34% of Aboriginal and Torres Strait Islander children had been in care for five years or more, compared to just 26.6% of non-Indigenous children, which is an over-representation rate of 26.6 (AIHW 2025, Tables S5.14 and P5). Similarly, in the NT, Aboriginal and Torres Strait Islander children are 23.5 times more likely to spend over five years in OOHC than their non-Indigenous peers. The lowest over-representation rate was in Tas, where Aboriginal and Torres Strait Islander children are 5.9 times more likely to spend over five years in OOHC (AIHW 2025, Tables S5.14 and P5).

The proportion of Aboriginal and Torres Strait Islander children in OOHC who had been continuously in care for five years or more increased from June 2020 to June 2024 in all states and territories except Qld (AIHW 2025, p. 497). As at 30 June 2024, the proportion of Aboriginal and Torres Strait Islander children who had been continuously in care for five years or more ranged from nearly 33.7% in Qld to 58.4% in the ACT (AIHW 2025, Table S5.14).

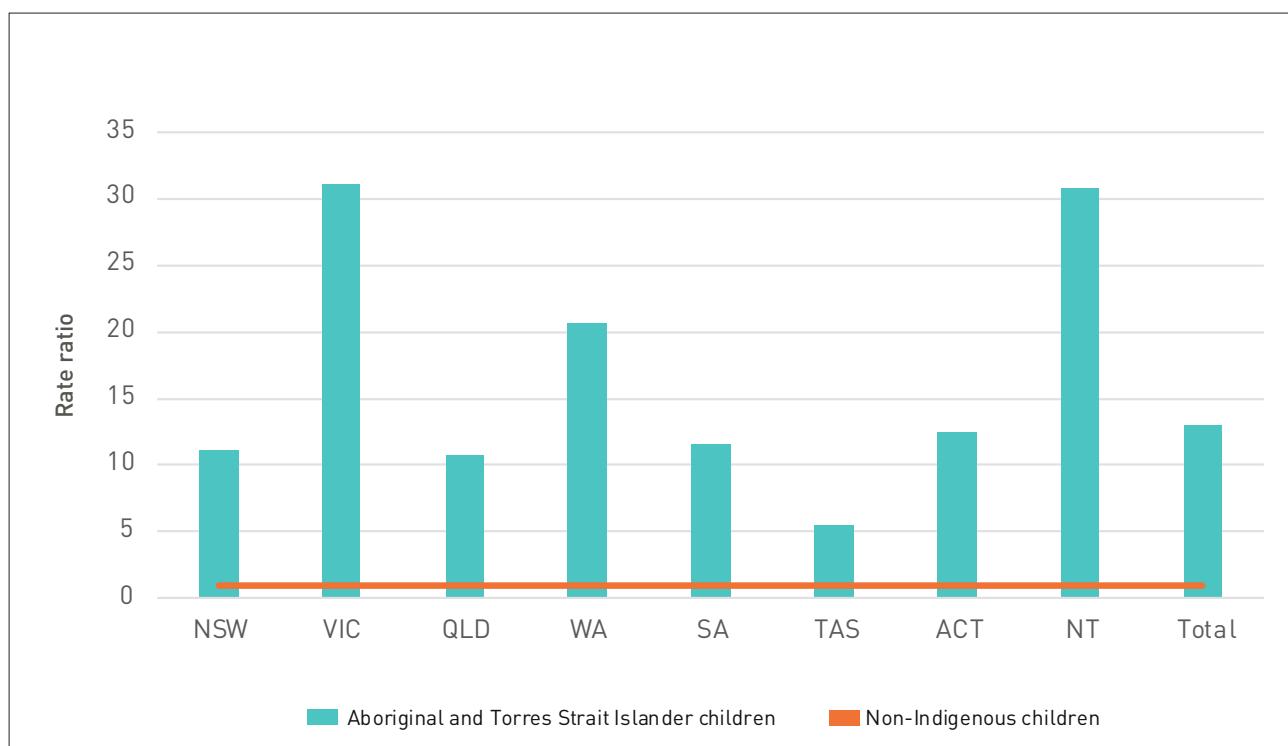
The proportion of Aboriginal and Torres Strait Islander children who had been in care for between two and five years decreased between June 2019 and June 2021, then increased only slightly to June 2023. There was very little change in the proportion of Aboriginal and

**FIGURE 23: Proportion of Aboriginal and Torres Strait Islander and non-Indigenous children reunified from OOHC and who did not return to care within 12 months by available jurisdiction (2021-22)**



Source: AIHW 2025e Tables 10.19; AIHW 2025, Table T3.

**FIGURE 24: Over-representation of Aboriginal and Torres Strait Islander children continuously in care for five or more years, nationally (2023-24)**



Source: AIHW 2025, Tables S5.14 and P5.

Note: Rates have been calculated using population data for Aboriginal and Torres Strait Islander and non-Indigenous children aged 2-17 years (Table P5, AIHW 2025)

Torres Strait Islander children spending shorter periods in OOHC (AIHW 2025, p. 497).

Aboriginal and Torres Strait Islander children experienced higher rates of long-term care compared to non-Indigenous children across all age groups. Concerningly, Aboriginal and Torres Strait Islander children aged two to four years old spend two or more years in OOHC at a rate of 27.5 per 1,000, compared to 2.2 per 1,000 for non-Indigenous children, making them 12.7 times more likely to spend the first years of their life in care, adversely impacting critical early development. This disparity was critically high in Vic and WA, as shown in Figure 25.

Across the broader population, the rate of Aboriginal and Torres Strait Islander children continuously in OOHC for five years or more remains disproportionately high. When these duration patterns are combined with higher rates of entry into care and lower rates of reunification for Aboriginal and Torres Strait Islander children, even small differences in time spent in care compound over time, intensifying over-representation and deepening the impact of systemic inequities.

## PLACEMENT TYPES

For Aboriginal and Torres Strait Islander children in OOHC, connection to Aboriginal and Torres Strait Islander relatives or kin is critical to preserving identity. This connection provides a cultural framework that reflects their heritage and promotes connection to community, culture and Country (Krakauer 2023). The significance of this connection is reflected in the Placement element of the Child Placement Principle, which outlines a hierarchy of OOHC placements for Aboriginal and Torres Strait Islander children as follows:

1. with Aboriginal and Torres Strait Islander or non-Indigenous relatives (kin),
2. with Aboriginal and Torres Strait Islander members of the child's community,
3. with Aboriginal and Torres Strait Islander family-based carers.

Care must be taken when using simplified representations of the placement hierarchy as a proxy for connections and access to culture. While placement with non-Indigenous relatives and kin can help to preserve families and important relationships, it may not adequately preserve connections to their Aboriginal or Torres Strait Islander culture, community and identity. Placement with a non-related, non-Indigenous caregiver or in a residential setting should be a last resort, only to be used when all other options have been exhausted (SNAICC 2019).

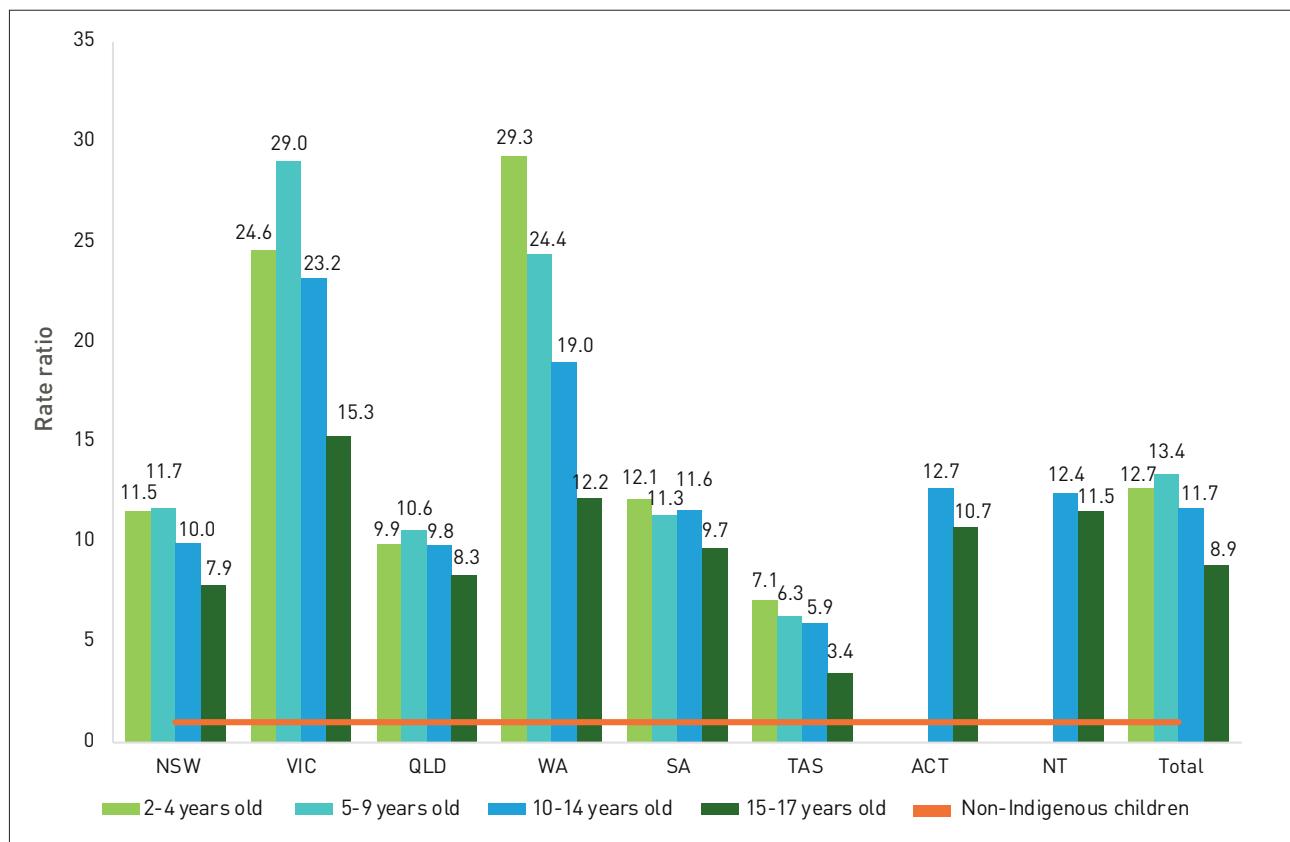
As at 30 June 2024, placement trends for Aboriginal and Torres Strait Islander children continued along the same trajectory as observed over the previous five years (SCRGSP 2025, Table 16A.23). That is, placement with one of the three preferred placement types (outlined above) remained stable at 63.1%, representing a 0.1% decrease from the year before. Placement with other, non-Indigenous, non-relative carers fell slightly from 26.9% to 25.7% and, in contrast, placement in residential care continued to rise from 9.0% in June 2023 to 10.5% in 2024. This increase reflects a concerning upward trend in the use of institutional care settings, which was as low as 6.3% in 2019 (SCRGSP 2025, Table 16A.23).

This is not to suggest that almost two-thirds of all Aboriginal and Torres Strait Islander children are placed 'in accordance' with the placement element of the Child Placement Principle, as this metric does not adequately reflect whether higher preferences were exhausted before other options were considered. It is important to examine these in more detail, including decision-making processes, to understand the opportunity given to Aboriginal and Torres Strait Islander children and young people to remain within their families, and connected to their Aboriginal and Torres Strait Islander family, community and culture.

As at 30 June 2024, there has been marginal year-on-year change in the proportion of Aboriginal and Torres Strait Islander children placed in each of the three preferred placement types (SCRGSP 2025, Table 16A.23). Over a five-year period, placements with Aboriginal and Torres Strait Islander relatives decreased slightly from 32.5% to 32.1%; over the same period, placement with non-Indigenous relatives increased from 19.6% to 22.4%; while placement with other Aboriginal and Torres Strait Islander carers decreased from 10.9% to 8.6% (SCRGSP 2025, Table 16A.23).

Placements in residential care, which is the least preferred option for children in care, continue to increase at the fastest rate and are now more common than placements with other Aboriginal and Torres Strait Islander carers. In Qld, 18% of Aboriginal and Torres Strait Islander children in OOHC were placed in residential care in 2023-24, followed by 16.3% in SA and 11.4% in WA (SCRGSP 2025, Table 16A.23). Vic has the lowest rate of placement of Aboriginal and Torres Strait Islander children in OOHC in residential care at 4.3% (SCRGSP 2025, Table 16A.23). This trajectory raises concerns about the availability and prioritisation of family-based care options and highlights the need to strengthen supports and incentives for carers, particularly kinship and foster carers, who play a vital role in providing culturally safe environments. Increasing the number of family and kin-based placements is essential to reversing the trend toward residential care.

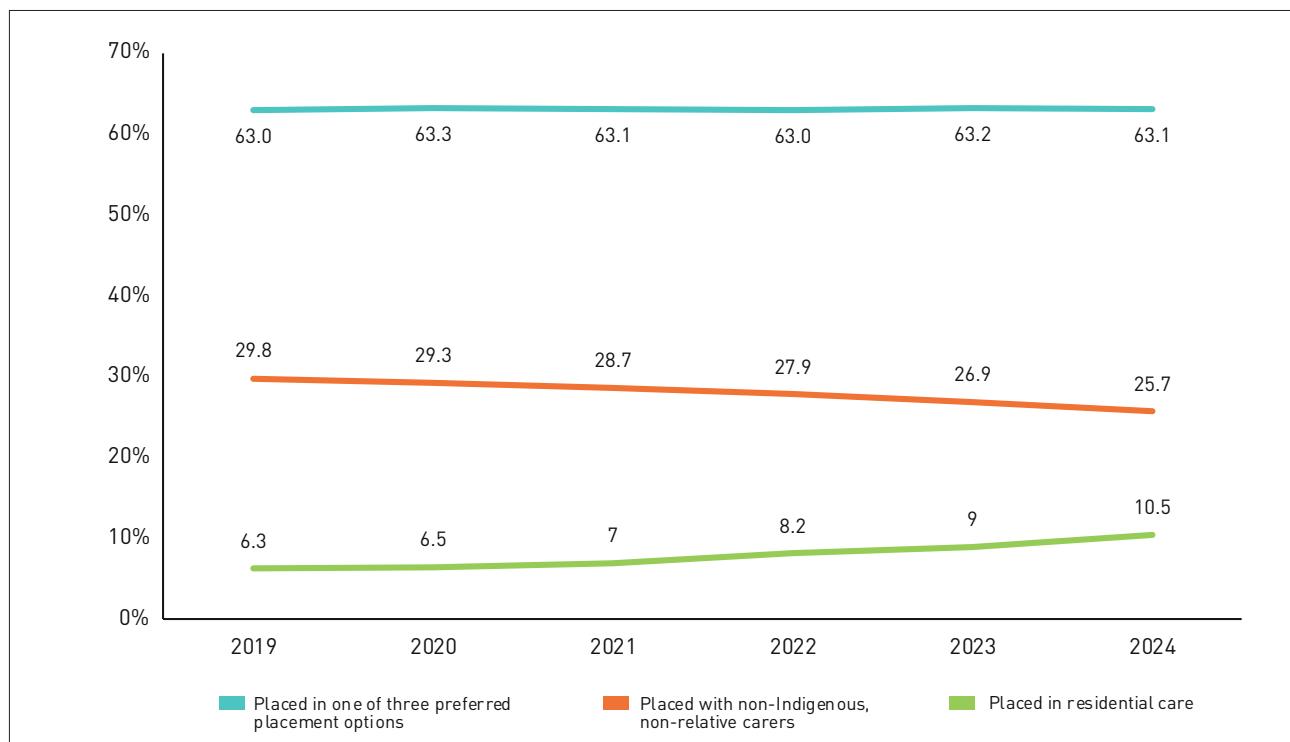
**FIGURE 25: Over-representation of Aboriginal and Torres Strait Islander children in long-term OOHIC by age group and jurisdiction (2023-24)**



Source: AIHW 2025, Tables S5.15 and P5.

Note: Data for Aboriginal and Torres Strait Islander and non-Indigenous children aged 2-4 and 5-7 were not provided for the ACT or the NT. Long-term OOHIC includes children who have been continuously in OOHIC for 2 years or more, as at 30 June 2024.

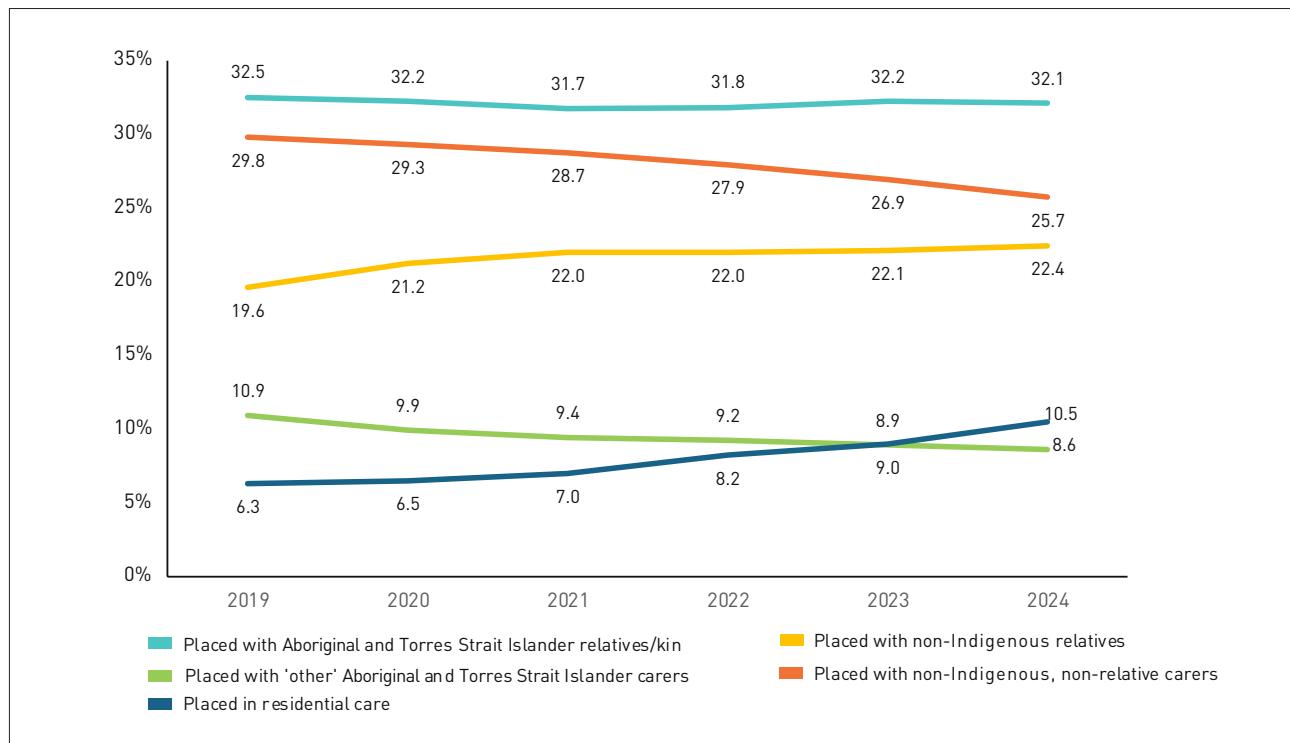
**FIGURE 26: Proportion of Aboriginal and Torres Strait Islander children placed in one of three preferred placement options, with non-Indigenous non-relative carers, or in residential care, nationally (2019-2024)**



Source: SCRGSP 2025, Table 16A.23

Notes: The three preferred placement options include placement with Aboriginal and Torres Strait Islander relatives/kin, non-Indigenous relatives/kin and other Aboriginal and Torres Strait Islander carers. Placed with non-Indigenous, non-relative carers excludes residential care.

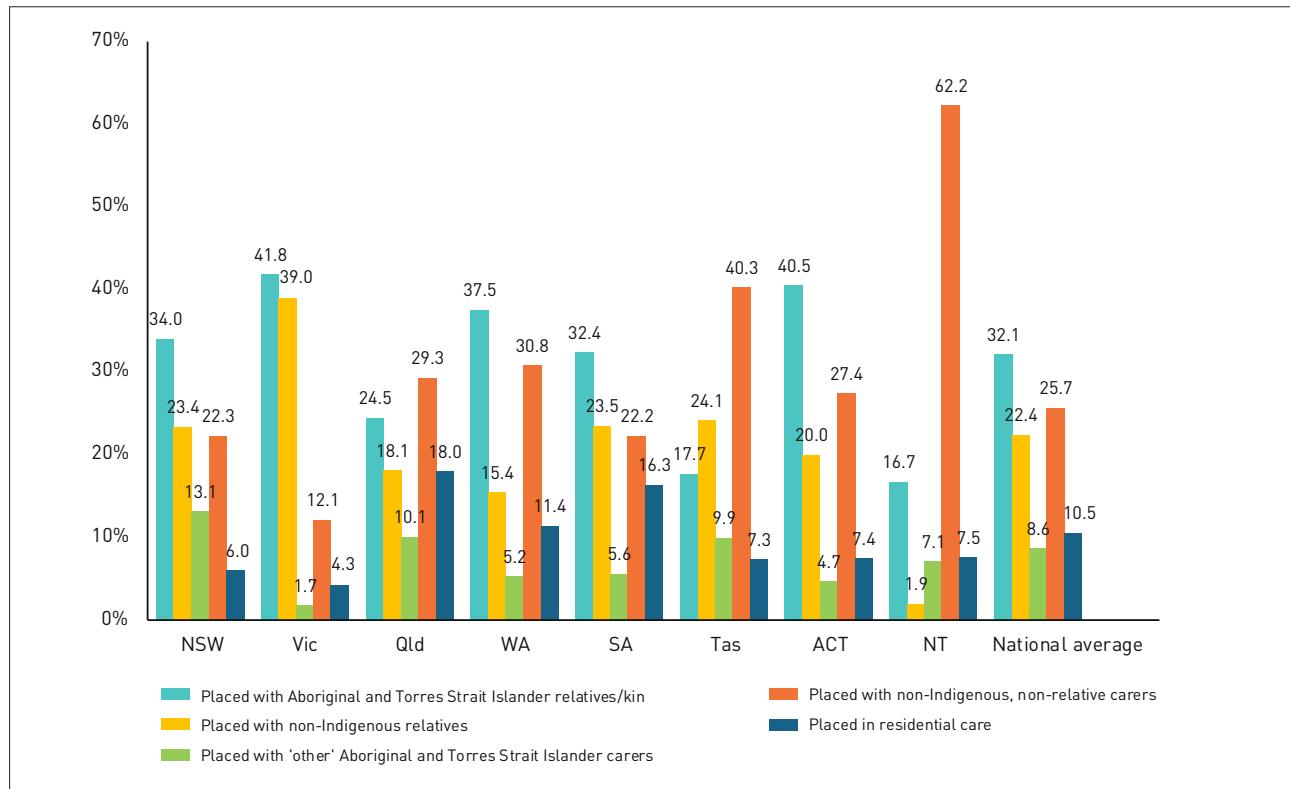
**FIGURE 27: Proportion of Aboriginal and Torres Strait Islander children placed with Aboriginal and Torres Strait Islander relatives/kin; non-Indigenous relatives; 'other' Aboriginal and Torres Strait Islander carers; non-Indigenous, non-relative carers; and residential care, nationally (2019-2024).**



Source: SCRGSP 2025, Table 16A.23.

Note: 2024 Tas and NT data on placement types are not directly comparable to previous years. From 2021-22, Tas formalised a small number suppression policy, which was adopted in 2019-20. Prior to 2022-23, data for NT have been derived from the AIHW Child Protection National Minimum Data Set.

**FIGURE 28: Proportion of Aboriginal and Torres Strait Islander children placed with Aboriginal and Torres Strait Islander relatives/kin; non-Indigenous relatives; 'other' Aboriginal and Torres Strait Islander carers; non-Indigenous, non-relative carers; and residential care, states and territories (2023-24).**



Source: Table 16A.23 (SCRGSP, 2025).

In Vic, 41.8 % of Aboriginal and Torres Strait Islander children in OOHC were placed with Aboriginal and Torres Strait Islander relatives or kin in 2024, compared to 40.4% in 2023. This is the highest rate in the country, followed by 40.5% in the ACT, which is an increase from 38.3% in 2023, but stable over five years (40.2% in 2019) [SCRGSP 2025, Table 16A.23]. Similar rates were reported in WA, where 37.1% of Aboriginal and Torres Strait Islander children in OOHC were placed with Aboriginal and Torres Strait Islander relatives or kin, which is a decrease from 39.5% in 2023 [SCRGSP 2025, Table 16A.23].

In NSW, 34% of Aboriginal and Torres Strait Islander children in OOHC were placed with Aboriginal and Torres Strait Islander relatives or kin, compared to 33.2% in 2023, which is a decrease of 0.9% from 2019. In Qld and SA, the proportion of Aboriginal and Torres Strait Islander children placed with Aboriginal and Torres Strait Islander relatives or kin remained stable, at 24.5% and 32.4% respectively [SCRGSP 2025, Table 16A.23].

## ADOPTION

Adoption under a Western legal framework is widely regarded as being culturally incompatible with Aboriginal and Torres Strait Islander ways of caring for children. Rather, Aboriginal and Torres Strait Islander families and communities recognise broader relational structures and networks of responsibility within families and communities [AHRC 1997, Turnbull-Roberts et al. 2022].

For many Aboriginal and Torres Strait Islander people, adoption evokes memories of the Stolen Generations and the forced removal of children from their families and cultures. From an Aboriginal perspective, adoption represents a permanent and harmful severing of multiple relational connections, often without consideration of those connections' [SNAICC 2024a p.45].

Adoptions in Australia are not a common occurrence.

In 2023–24, adoption orders were finalised for nine Aboriginal and Torres Strait Islander children through known child adoptions, and two through local adoptions. Of the 11 Aboriginal and Torres Strait Islander children adopted, four had at least one adoptive parent who identified as Aboriginal or Torres Strait Islander. Data is not available on whether any of these adoptions were by family or kin [AIHW 2025g].

Due to low numbers and to avoid identification, some jurisdictions do not provide adoption data for all groups. No Aboriginal or Torres Strait Islander children were adopted from care in Vic, Qld, the ACT, Tas or SA between 1 July 2023 and 30 June 2024.



## AILAN KASTOM: A LIVING PRACTICE OF SELF-DETERMINATION

Ailan Kastom is the traditional child-rearing practice of Torres Strait Islander peoples in which parental rights and responsibilities are transferred, by customary agreement, from a child's birth parents to trusted relatives or community members. Practiced since time immemorial across Zenadh Kes (the Torres Strait Islands), Ailan Kastom reflects deep cultural values of kinship, collective care and continuity of identity.

***"We are listening to the voices of our communities and translating this support into pathways for stronger, more inclusive futures where all Torres Strait Islander families feel valued and empowered to raise their children in a way that reflects their cultural identity."*** (Meriba Omasker Zaziw Kazipa Kazipa Commissioner, C'Zarke Maza in NIT 2025)

In a landmark move, the *Meriba Omasker Zaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* (the Act) formally recognised Ailan Kastom within the legal system. This legislation affirms the right of Torres Strait Islander communities to define and uphold their own systems of care and uphold cultural identity, and the Act shows that legislation can create space for Indigenous legal frameworks through which Aboriginal and Torres Strait Islander communities might exercise self-determination, embedding cultural authority into legal recognition and supporting the wellbeing of future generations.

In July 2025, the community celebrated the 100th Cultural Recognition Order granted under the Act (NIT 2025). Meriam and Yidinjdji person C'Zarke Maza LL.M, Queensland's Commissioner (Meriba Omasker Kazipa Kazipa), noted that more than 600 individuals have been positively impacted by the legislation.

## CONNECTION TO CULTURE IN OOHC

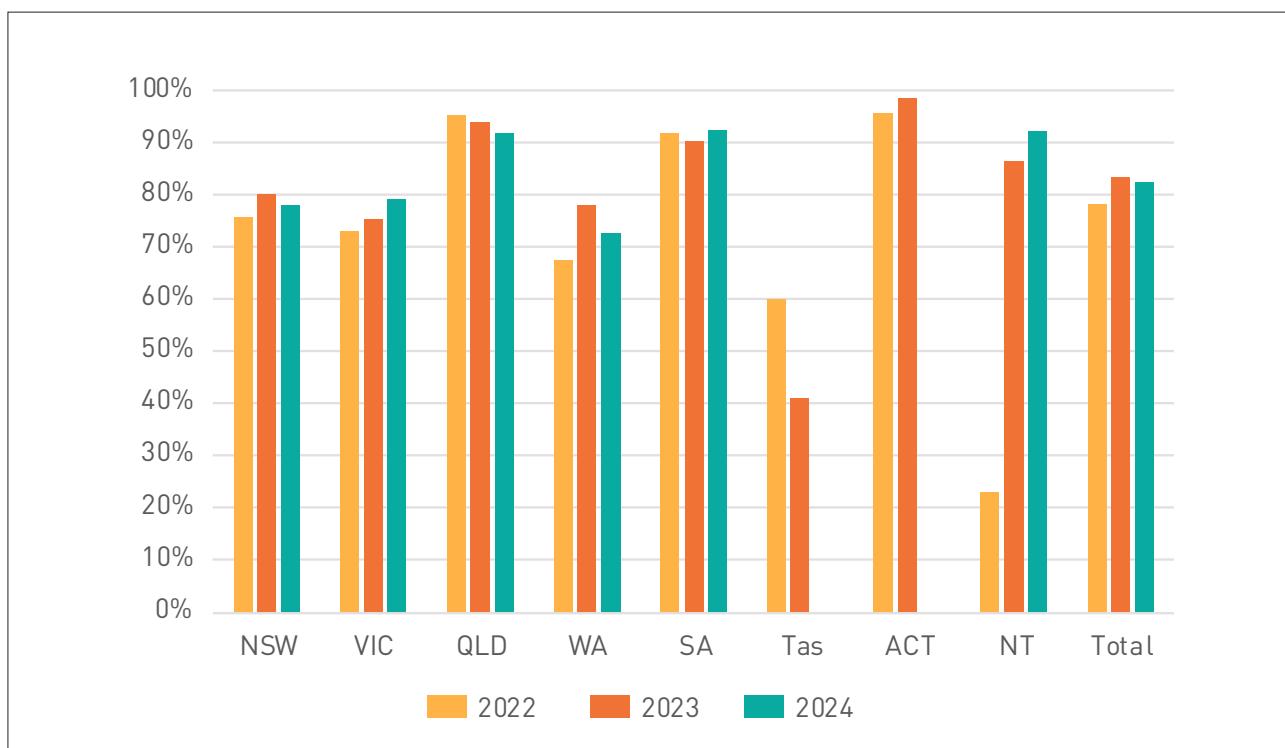
Connection to culture is a basic human right for Aboriginal and Torres Strait Islander children (UNDRIP, CROC). A strong connection to culture and Country is essential to the identity of Aboriginal and Torres Strait Islander peoples and fundamental to shaping their understanding of themselves, their place in the world, and their relationships with community and Country (Shay et al., 2023). Connection to culture supports ongoing social and emotional wellbeing (Black et al., 2023; Murrup-Stewart et al., 2021), as well as connection to family. Connection to family also strengthens a child's cultural identity and embeds a stronger sense of cultural connection, with both family and culture being intertwined in the care and support of Aboriginal and Torres Strait Islander children (Burns et al. 2024; Krakauer, 2023).

For Aboriginal and Torres Strait Islander children in OOHC, connection to culture is even more crucial for their social and emotional wellbeing, as well as being an important mechanism to enable and maintain strong relationships with family, community and Country. Statutory child protection systems have implemented specific mechanisms to support cultural connection

in practice. Within Australia, each state and territory requires that Aboriginal and Torres Strait Islander children in care must have a Cultural Support Plan (CSP) to ensure they remain connected to and build their ongoing connection to their culture. These are individualised plans that include agreed actions to support Aboriginal and Torres Strait Islander children to maintain their identity through connection to culture, family and community. The application of these plans is different in each state and territory, as each is governed by its own legislation, policies and procedures. Many require endorsement by a local ACCO.

As at 30 June 2024, 82.3% of children in OOHC who were required to have a CSP had a plan that was current, documented and approved (AIHW 2025e). This is a slight reduction from 83.3% in 2023 and a diversion from an upward trend observed each year since 2020. The highest proportion of Aboriginal and Torres Strait Islander children in OOHC with a current CSP was in SA (92.5%), followed by the NT (92%) and Qld (91.9%). WA recorded the lowest rate at 72.6%, indicating 27.4% of Aboriginal and Torres Strait Islander children in OOHC in WA did not have a formalised plan to ensure their cultural connection. Tas and the ACT did not provide data for 2024 (*jurisdictional data provided directly to SNAICC*).

**FIGURE 29: Aboriginal and Torres Strait Islander children in OOHC, with a current CSP by state and territory, and nationally (2022-2024)**



Source: AIHW 2025e, Table 10.5

Notes: Percentages are calculated based on the number of children who are required to have cultural support plans. Due to significant variation across states and territories and issues with the identification of Aboriginal and Torres Strait Islander children, national trends need to be interpreted with caution.

It is important to note that this indicator does not provide details regarding the quality of these plans, whether the child is aware of their existence or involved in their development, how consistently they are implemented in practice or if they are endorsed by a local ACCO.

While there have been improvements in the compliance with departmental cultural support planning requirements, the quality of these plans is varied (Our Booris Our Way, 2019; QFCC, 2022). A CSP should speak to how Aboriginal and Torres Strait Islander children stay connected to culture, family, community and

Country. However, they often lack meaningful content and do not document how children will maintain and build connection with kin, Country and culture (QFCC, 2022). Practitioners and managers often approve plans without mechanisms to assess their quality or their actual implementation.

CSPs also sometimes lack the involvement of a child's family, kin and community. Families and communities, facilitated by the practitioner, are best placed to lead decisions around cultural identity and connection, ensuring authenticity and relevance.

## SPOTLIGHT ON DELEGATED AUTHORITY

Delegated Authority—where ACCOs agree to assume certain legislated child protection powers and functions normally exercised by government officials—is transforming the lives of many Aboriginal and Torres Strait Islander children and families.

This mechanism serves as an interim step toward fully self-determined systems for child wellbeing, while efforts continue to redesign those systems.

All Australian governments have committed to implementing delegated authority, yet so far, only the Victorian and Queensland governments have begun assigning these powers and functions to ACCOs. The actions set out in the Aboriginal and Torres Strait Islander First Action Plan (Actions 1(b) and (c) of Safe and Supported) require jurisdictions to develop plans to move toward delegated authority by the end of 2025, and, currently, these actions are not on track.

In Victoria, strong community-led advocacy, especially by VACCA, has been integral to launching and refining the delegated authority process. Under the Aboriginal Children in Aboriginal Care (ACAC) program, four ACCOs are authorised to hold decision-making authority for Aboriginal and Torres Strait Islander children and young people on a Children's Court protection order, with two more ACCOs in a pre-authorisation phase.

These ACCOs focus on strengthening families and working toward reunification where possible. For example, VACCA and the Bendigo & District Aboriginal Co-operative run the Community Protecting Boorais Program, enabling authorised ACCOs to investigate reports made to child protection about Aboriginal and Torres Strait Islander children and their non-Aboriginal siblings, intervening earlier to divert families from further system involvement.

A story from Goolum Goolum Aboriginal Corporation's Wurrr Nungarwil program illustrates the difference ACCOs can make; within four weeks of accepting care for two children, they located the children's adult siblings (previously unaware of their younger kin), set up a connection plan and began work toward a long-term placement.

In Queensland, two ACCOs – Central Queensland Indigenous Development and Refocus – began pilot delegated authority in 2020. That number has since grown, with 14 ACCOs currently holding decision-making authority, most focusing on connecting children in care with family and facilitating reunification. One example is the Aboriginal and Torres Strait Islander Community Health Service Brisbane Nyanya Munjindei program, which guided a child from two-hour weekly visits with their mother to a full-time family placement within about six months.

The ACCOs practising delegated authority emphasise the importance of building strong, frank relationships with departmental staff to support mindset change and genuine collaboration. Equally important is allowing sufficient time for their organisations to develop and refine practice approaches aligned with community feedback and cultural knowledge.



# CASE STUDY

## LIFE WITHOUT BARRIERS

*Culture is about family networks, Elders and ancestors. It's about relationships, languages, dance, ceremony and heritage.*

*Culture is about spiritual connection to our lands and waters. It is about the way we pass on stories and knowledge to our babies and children; it is how we greet each other and look for connection.*

*It is about all the parts that bind us together.* Andrew Jackomos CCYP 2016

Life Without Barriers is a national, not-for-profit organisation. Supported by a National Partnership with SNAICC, Life Without Barriers is continuing its public, national commitment to support transitions of children currently in the organisation's care to community control and a reform commitment to supporting a transformation agenda for Aboriginal and Torres Strait Islander children nationwide.

With the full support of the Life Without Barriers' Board and CEO, Life Without Barriers has embedded a National, Aboriginal and Torres Strait Islander led Practice and Partnerships unit that works in partnership with colleagues, the sector, community-controlled organisations, commissioners and government to reunify children to community and Country.



## HUDSON'S STORY: COMING HOME TO COUNTRY

Hudson\* is a proud Adnyamathanha boy, just eight years old. More than anything, he wanted to live on his Yarta, his homeland, with family, culture and community. Each time he moved between foster homes, far from Country, he felt like he was leaving a piece of himself behind.

Hudson's Aunty Rehanna worked with determination to bring him home. She created plans around his health, education and wellbeing, including the opportunity for Hudson to spend time with other children and families in the community.

*"It was about showing Hudson what it means to be Adnyamathanha — carrying his swag, being on Country, remembering that he already knows the language and the people. Now, as the younger brother, he is sharing those teachings with his older brother, passing on what he learnt through being on Country with kin." - Aunty Rehanna.*

*"Aunty took me to the sites and began teaching me my language — Yura Ngarwala, the Adnyamathanha language. These are things I never knew while living in the city, but now I'm learning more every day. Yura Muda — my culture, my language, my ways." - Hudson.*

As his placements continued to change, it became clear that a conversation was needed about what truly supports Hudson to thrive. What mattered most was Hudson's voice. He knows where he belongs, with family.

*"Hudson is extremely happy and content when he is back on Country, surrounded by family, community and culture. He would become highly distressed and withdrawn when separated. He was grieving and longing for family, culture and Country." - Lisa Coulthard, Director Aboriginal and Torres Strait Islander Practice and Partnerships (SA), Life Without Barriers.*

Life Without Barriers worked alongside Hudson and the Department to ensure Hudson's voice and that of his family were understood and embraced, and guided by culture and connection. Hudson's choices, his family's plan and the guidance of Life Without Barriers Aboriginal staff were central when talking about where Hudson should live. Two-way cultural governance ensured that Hudson's placement reflected the Aboriginal and Torres Strait Islander Child Placement Principle and the importance of family, community and culture in his life.

Hudson is now back with his kin, and his family shares that he continues to thrive. His Nanna Anna says Hudson is growing strong, surrounded by family and culture.

*"When he first came to live with us, it took him a while to find his feet," says Nanna Anna. "He wasn't sure if this would be his forever home. But now he's really settled in and is part of the family. You can see the difference in him."*

Recently, Hudson joined his cultural grandfather, Poppa Vincent, and his sibling at an Adnyamathanha Men's Cultural Camp. There he met extended family for the first time, deepened his cultural knowledge and strengthened his connections with community. Out on Country, Hudson grows in pride, learning language and traditions while building relationships that bring him joy and belonging.

Hudson is active and energetic, playing both football and basketball, and spending time with his sibling during holidays and weekends. Their time together is regular and meaningful, giving Hudson the joy of growing up with family close by his side.

Hudson's journey shows the strength and healing that comes from being connected to kin, culture and Country and the right of children to be supported to be connected to their identity.

*"One thing we try hard to do is keep our word. If we say we'll go camping, then we go. He'll remind us, 'But you promised, Nana.' After so many broken promises in his past, it's important he knows he can trust us to follow through." - Nanna Anna.*

Aboriginal-led decisions and solutions, guided by strong advocacy, deliver what matters most: children growing up safe, loved and proud in culture. Hudson is no longer a child moved from place to place. He is home, learning from his elders, and standing strong on his Country.

\*Names have been changed.



## HARM EXPERIENCED IN OOHC

The removal of children from their families into OOHC in Australia is a decision made by governments for the presumed safety and protection of the child from abuse or neglect that has been substantiated to have occurred. With these decisions, governments have a profound responsibility to ensure that children are always protected and safe.

When the State takes on the role of a child's parent, it carries a duty to ensure that the systems it puts in place do not add to the child's harm. At least, those systems must improve a child's situation rather than make it worse.

The State has a duty of care to the child to ensure their rights are met and that they can reach their full potential, receiving the same level of care and support as they would in a strong family setting. The expectations on the State as parent are set out in the National Standards for OOHC as set out in the National Framework for Protecting Australia's Children (DSS 2011). For Aboriginal and Torres Strait Islander children, this means adherence to the letter and the spirit of the Child Placement Principle to ensure that they remain connected to community, culture and identity.

The reality, though, is that many children in care experience harm, abuse and trauma while under the care of the State. The OOHC system is particularly unsafe for many Aboriginal and Torres Strait Islander children: Aboriginal and Torres Strait Islander children are more likely to be in care and be the subject of substantiated cases of all types of abuse in care than non-Indigenous children (AIHW 2024b). Residential care in particular is a place of neglect, abuse and vulnerability (CCYP 2021).

In 2022-23 (*the most recent data set*), there were 1,229 substantiated cases of abuse in care. Physical and emotional abuse were the most commonly substantiated types of abuse in care, accounting for 356 and 355 cases, respectively (29% and 28.9%). These were followed by neglect (218 cases, 17.7%) and sexual abuse (138 cases, 11.2%) (AIHW 2024b Tables 9.1, 9.2 and 9.3).

Fifty-one per cent (629) of the children who were the subject of a substantiation of abuse in care were Aboriginal and Torres Strait Islander. Aboriginal and Torres Strait Islander children who were the subject of substitution of abuse in care were most likely to experience emotional abuse (32.9%), while non-Indigenous children were most likely to experience physical abuse (32.2%) (AIHW 2024b). It is important to note that this measure only presents one dimension of harm in OOHC, which includes aspects that are not presently measured, such as disconnection from family and culture.



## TRANSITIONING TO ADULTHOOD AND LONGER-TERM LIFE OUTCOMES

Children and young people exiting care experience consistently poorer outcomes across multiple domains, including 'lower levels of educational attainment, low incomes, high levels of financial stress and a high prevalence of mental health issues including self-harm and suicidality' (Muir et al. 2019).

A 2020 inquiry by the Commission for Children and Young People into outcomes for care leavers in Victoria found:

- at least one third become homeless within three years of leaving care,
- in 2019, there were over 2,500 young people aged 16 to 21 eligible for leaving care supports, yet only just over 300 housing options available specifically for care leavers,
- of those who exited care between 2006 and 2014, 80% had been admitted or presented to hospital, and 52% had accessed acute public mental health services, and
- nearly half of young people preparing to leave care were no longer engaged in study or training, placing them at high risk of long-term unemployment (CCYP 2020).

Leaving care should be supported by a comprehensive plan that outlines housing, education, employment, health care and social support arrangements.

However, many young people, especially Aboriginal and Torres Strait Islander young people, leave care without adequate preparation for independent living or

continuity of support, contributing to poorer immediate and long-term outcomes.

For example, in Qld in 2023-24, only 60% of Aboriginal and Torres Strait Islander children in OOHC aged 15 years and older had been supported to begin transition to adulthood planning. During the same period, in Vic, 83% of children had a plan in place within 12 months of leaving care. In SA, 79% of eligible Aboriginal children had a transition from care plan in place, while in WA, this was 66% (*data provided by state and territory governments to SNAICC*).

For Aboriginal and Torres Strait Islander children, the transition from care is shaped by the systemic challenges that often led to their removal in the first place. These young people face compounded disadvantage, including heightened police surveillance, reduced access to services and opportunities and, tragically, an increased likelihood of having their own children removed, reflecting the ongoing impact of intergenerational trauma (Yoorrook 2023; Yoorrook 2025; Newton 2024).

Access to targeted supports, such as the Transition to Independent Living Allowance (TILA), remains uneven and underutilised.<sup>5</sup> In some jurisdictions, frontline workers lack awareness of the allowance and its application process. For example, in Qld, limited knowledge among child protection officers has resulted in missed opportunities to inform and assist eligible young people (QATSICPP 2025). The administrative complexity of TILA further compounds these challenges, often deterring engagement and reducing its effectiveness. Additional barriers exist with remoteness and where there are strained relationships with statutory systems (QATSICPP 2025).

## CHILDREN IN OUT-OF-HOME CARE BY 2034: A TEN-YEAR PROJECTION OF OVER-REPRESENTATION

Over the next ten years, based on the current trend, the population of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs is expected to increase by 34% while the population of non-Indigenous children is expected to increase by 2% (see *mean/average line projections* in Figure 30). This means that the population of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs is projected to grow at 17 times the rate of non-Indigenous children in the next decade. At this rate, by 2045, the population of Aboriginal and Torres Strait Islander children in OOHC and on TPPROs will grow by 79%, compared to 5% for non-Indigenous children.

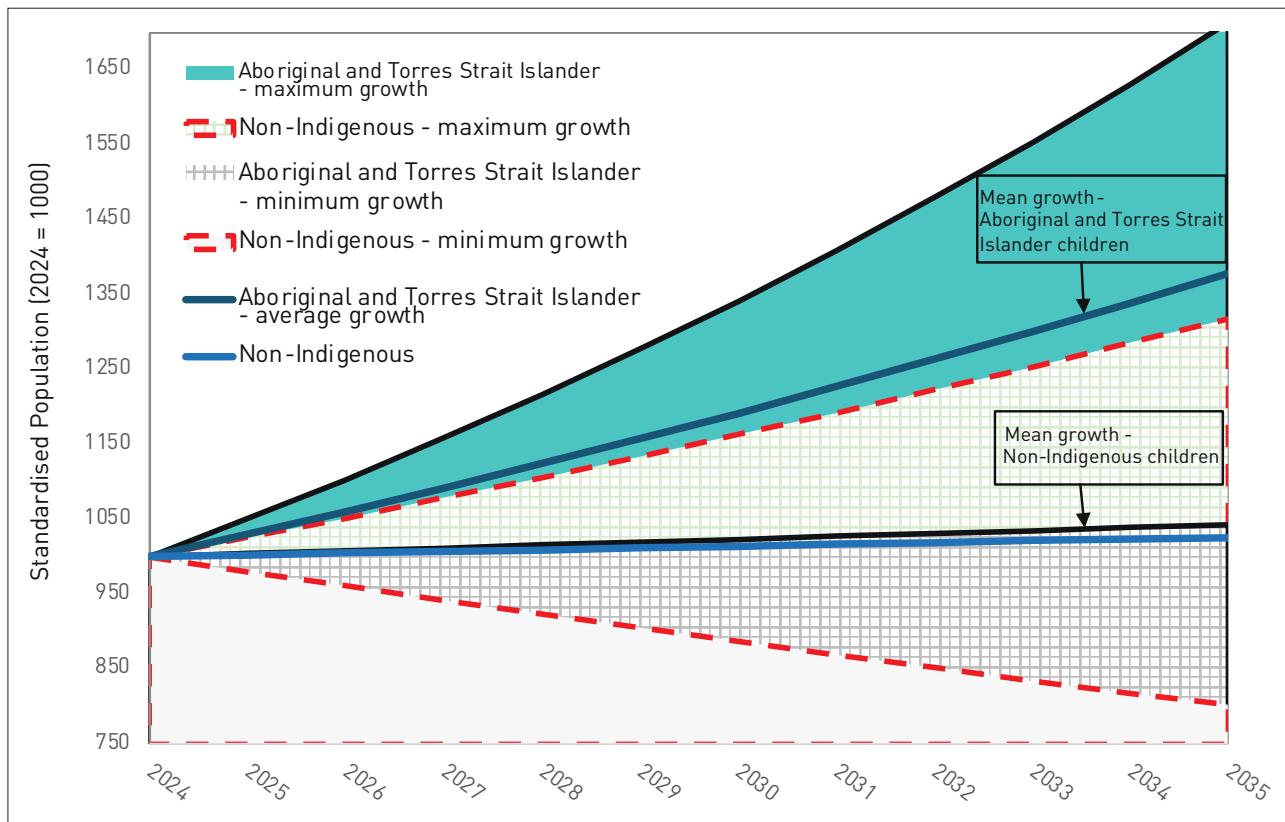
Projections are calculated using an average annual population growth rate method, which is explained in detail in Appendix A. In addition to the mean projections, Figure 30 also shows the range of maximum and minimum projected OOHC population growth—or decrease. These projection ranges—or

bands—are represented by the green shaded area (for Aboriginal and Torres Strait Islander children) and the checkered grey area (for non-Indigenous children). Despite this deeply concerning projection, there remains hope that this trajectory can be altered to achieve a reduction in Aboriginal and Torres Strait Islander children in the child protection system.

The evidence in this report shows there are limited mechanisms, supports and services in place to prevent removal, promote reunification and support connection to identity, culture, kin and community for Aboriginal and Torres Strait Islander children. However, as highlighted throughout this report, Aboriginal and Torres Strait Islander organisations and communities are changing this story. They are leading and transforming practice that is driving better outcomes and ensuring children are safe, well and connected to family and culture.

To change the current trajectory, governments must increase efforts and investment to support families and address the drivers of child protection intervention and transfer system stewardship, decision-making power, service design and service delivery to Aboriginal and Torres Strait Islander communities.

FIGURE 30: Children in OOHC by 2035: an alarming projection of growing over-representation



Source: AIHW 2025, Table T3.

Notes: Percentages are calculated based on the number of children who are required to have cultural support plans. Due to significant variation across states and territories and issues with the identification of Aboriginal and Torres Strait Islander children, national trends need to be interpreted with caution.



## 1.3 Social determinants of wellbeing

### COLONIAL LEGACIES AND THE PATH TO INTERVENTION

When the statutory child protection system intervenes in our families to remove our children, it is typically framed as a matter of determining what is in the child's 'best interest'. Within this framework, structural determinants like poverty, housing insecurity, intergenerational trauma and systemic racism are routinely recast not as consequences of colonisation but, rather, as indicators of parental failure.

The structural drivers of the over-representation of our children in care are not recent developments. They are the legacy of Australia's harmful colonial past, which continues to the present. Aboriginal and Torres Strait Islander families are disproportionately targeted, not because they pose greater risk, but because they live with greater systemic disadvantage and discrimination. Parents' feelings of powerlessness after children are removed and the challenges of maintaining relationships with their removed children have been found to have strong parallels with the experiences of Aboriginal mothers during the Stolen Generations (Payne 2021).

While policy frameworks make repeated claims to promote self-determination and culturally responsive approaches, the criteria for child protection intervention continue to marginalise community approaches and punish social disadvantage rather than respond to it. The over-representation of Aboriginal and Torres Strait Islander children in OOHC is a predictable outcome of a system that continues to evaluate Aboriginal and Torres Strait Islander parenting through a Western lens and define it as inadequate, rather than understanding differences and recognising strengths (Wright et al. 2025).

Western constructs of wellbeing and nuclear family inform how child protection services define a 'safe' home. Behind the bureaucratic language of risk assessments, safety plans, and child-centred practice lies a system rooted in Western assumptions about health, wellbeing and family. Consequently, the lived realities of many Aboriginal and Torres Strait Islander families, including extended kinship care, shared responsibility for children and cultural practices, are not only often overlooked but are actively misinterpreted (Malin et al. 1996). In a system built to reflect and reinforce the norms of a dominant culture, cultural difference is viewed not as diversity but as a deficiency.

Reversing over-representation not only requires governments to take action to address its structural drivers; governments must also reform the statutory child protection system to acknowledge the inherent strength of Aboriginal and Torres Strait Islander communities to raise our own children.



## INSTITUTIONAL RACISM AND DISCRIMINATION

*Since the arrival of Europeans in Victoria in the 1830s, First Peoples have been removed from our families and our country and institutionalised at alarming rates as a result of the colonial systems forced upon us.* (Yoorrook Justice Commission 2023)

Systems supposed to protect and support Aboriginal and Torres Strait Islander children, families and communities are actively failing them. These systems were designed to dispossess Aboriginal and Torres Strait Islander peoples of their land, culture and sovereignty, and continue to perpetuate harms on Aboriginal and Torres Strait Islander peoples.

Historically, legislation and policy regarding child safety and wellbeing in Australia were designed to remove Aboriginal and Torres Strait Islander children from their families, and led to the Stolen Generations. Child removal, discrimination and intergenerational trauma continue compounding the shameful legacy of these policies (Grace & Menzies, 2022; Menzies, 2019).

Systems and structures, built on the original foundations of forced removal, land theft and cultural dispossession, continue to be rooted in racism and racial discrimination, disproportionate surveillance and biased decision-making, which leads to the unjust removal of Aboriginal and Torres Strait Islander children from their families.

Mainstream services are often not safe spaces, as systemic racism has created too many culturally unsafe and ineffective services for Aboriginal and Torres Strait Islander people. This highlights the critical importance of ACCOs, which are accountable to their communities and provide quality, culturally safe services that uphold the rights and wellbeing of Aboriginal and Torres Strait Islander children and families.

***Systems that have differentiated impacts on racial groups, even when unintentional, are systemically racist*** (Krakauer 2023 p109).

Despite numerous attempted reforms and reports highlighting institutional racism within child welfare systems, we continue to see gross disparity in outcomes for and ongoing over-representation of Aboriginal and Torres Strait Islander children. These systems persist because they are built on old colonial foundations that have largely gone unchallenged (Yoorrook 2023 and 2025; Productivity Commission 2024c; HREOC 1997; Davis, 2019; Royal Commission into Institutional Responses to Child Sexual Abuse 2017).

## LEADERSHIP, GOVERNANCE AND OVERSIGHT

Transformation of the system is only possible when solutions are designed and led by Aboriginal and Torres Strait Islander communities. Closing the Gap acknowledges this by focusing on supporting the ACCO sector and other aspects of self-determination (Productivity Commission 2024c; Coalition of Peaks 2025).

Under Australia's international human rights obligations, Aboriginal and Torres Strait Islander peoples have a right to determine our own futures. This right is recognised within the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (United Nations General Assembly 2007).

For Aboriginal and Torres Strait Islander communities, self-determination is key to ensuring success within the child welfare system (HREOC 1997).

***Self-determination in child protection is, we argue, the foundational human right required to enable social justice for Indigenous Peoples through redistribution of political authority and economic inclusion*** (Libesman et al. 2025, p. 4).

Embedding self-determination within governance, policy frameworks, child protection decision-making, and service delivery is crucial to ensuring Aboriginal and Torres Strait Islander children and families can be liberated from cycles of intervention and disempowerment from the child welfare system (Newton 2025).

When Aboriginal and Torres Strait Islander communities are genuinely supported to exercise their right to self-determination, outcomes for children and families improve (Beaufils et al., 2025). Yet too often, what governments describe as self-determination amounts to nothing more than consultation, and engagement with communities is reduced to a tokenistic process while preserving government authority over Aboriginal and Torres Strait Islander children, families and communities. This pattern is well documented; numerous reports that have made urgent recommendations on behalf of community have either been ignored or subject to long delays in implementation, for example, the *Family is Culture Review Report* 2019 in NSW and the 1997 *Bringing them Home Report* (Davis 2019; HREOC 1997). To address this, governments must establish effective mechanisms to ensure recommendations are implemented promptly.

Government agencies and non-government entities responsible for children's safety and wellbeing must strengthen accountability to ensure full implementation of the Child Placement Principle (see page 22) and increase investment in early support and prevention designed and led by ACCOs, which will result in long-term savings in expensive statutory interventions.

To improve the accountability of child and family systems, many states and territories now have dedicated Commissioners for Aboriginal and Torres Strait Islander children, with a National Commissioner for Aboriginal and Torres Strait Islander Children appointed in 2025.

While these state and federal-based roles are significant, inconsistencies in their legislated functions and powers across jurisdictions affect their collective impact. Aligning legislative frameworks with the internationally recognised standards in the Paris Principles for credible, independent and effective human rights institutions would enable Commissioners to exercise meaningful authority (SNAICC and King & Wood Mallesons 2020).

Consistent minimum standards for Commissioner roles across jurisdictions, supported by jurisdictional legislative reform, and a National Commissioner role with appropriate powers, independence and aligned oversight mechanisms is a commitment made by all governments through *Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031* (Safe and Supported), and its implementation is overdue.

## ECONOMIC EMPOWERMENT

Pre-colonisation, Aboriginal and Torres Strait Islander people were:

*independent and governed by collective decision-making processes with shared kinship, language and culture. They belonged to and were custodians of defined areas of country. First Peoples were self-governing and wielded economic and political power within their own systems of law, lore, culture, spirituality and ritual* (Wolfe 2006).

The current socioeconomic disadvantage experienced by many Aboriginal and Torres Strait Islander people is the ongoing result of colonisation (Yoorrook 2025). Colonisation was brutal and focused on acquiring land and marginalising traditional owners (Yoorrook 2025). The complex systems of trading and agriculture

that existed across the continent pre-colonisation were obliterated by the invaders' land theft, which was extended and compounded through massacre, displacement, slavery, child stealing and stolen wages (Yoorrook 2025). The impacts of these invasion tactics continue to be felt in every community and manifest in economic marginalisation, over-representation in every tertiary system and persistent present-day child removal and criminalisation.

The latest data supporting Closing the Gap Outcome 8: Strong economic participation and development of Aboriginal and Torres Strait Islander people and communities show slow progress in achieving economic parity. Aboriginal and Torres Strait Islander families are more likely to experience hardship against the common measures of financial stress, such as housing stress, security of necessities, and the ability to adapt to fluctuations in income and cost of living, such as the ability to raise funds in an emergency (AIHW 2023).

Economic disadvantage is a significant driver of child protection substantiations for Aboriginal and Torres Strait Islander children, with 29.3% of substantiations in 2022-23 being primarily due to neglect, compared to 16.8% of substantiations for non-Indigenous children (AIHW 2025). This reflects the significant barriers our families face in accessing the resources and supports they need to provide safe and appropriate care for their children. Aboriginal and Torres Strait Islander children and their families should not be punished with child protection intervention because of the impacts of poverty.

To redress the economic disadvantage faced by Aboriginal and Torres Strait Islander communities, numerous royal commissions, coroners' reports and Commonwealth, state and territory inquiries that have been released over the past thirty years have repeatedly called for structural reform across government systems, better support for Aboriginal and Torres Strait Islander children and families, and redress for land injustice, slavery, the Stolen Generations and wage theft (for example Productivity Commission 2024c; Coalition of Peaks 2025a; Bringing Them Home 1997; Royal Commission on Aboriginal Deaths in Custody 1991). Importantly, all Australian jurisdictions committed to addressing the ongoing socioeconomic impacts of colonisation through the National Agreement on Closing the Gap. Most of these recommendations have either not been implemented or have been taken up only in a piecemeal, under-resourced way (Coalition of Peaks 2025).

This represents an ongoing failure by Australia to live up to its obligations as a signatory to the UNDRIP, specifically Articles 3 to 5, which acknowledge Indigenous peoples' right to self-determination to pursue economic, social, and cultural development and participate in the economic life of the State (United

Nations General Assembly, 2007). This aspect of the right to self-determination encompasses Aboriginal and Torres Strait Islander peoples' right to pursue economic development as well as fully participate in the economic activities of the State (Yoorrook 2025).

Policies, laws and initiatives advancing self-determination are necessary to build economic empowerment and increased prosperity for Aboriginal and Torres Strait Islander people. This means states, territories, and the Commonwealth must take action to:

- resource the ACCO sector commensurately with unmet need in the community,
- support the Aboriginal and Torres Strait Islander business and cultural enterprise sector,
- address historical inequities in access to land and capital infrastructure for Aboriginal and Torres Strait Islander organisations and communities,
- increase acknowledgment of and respect for Aboriginal and Torres Strait Islander ways of doing business,
- invest in Aboriginal and Torres Strait Islander employment,
- improve intergenerational wealth,
- address racism, cultural safety and cultural load in workplaces,
- improve procurement and regulatory models,
- support the development of a strong data and evidence base to support economic independence and better decision making, and
- include employment, business growth and economic prosperity in future iterations of the National Agreement on Closing the Gap (Yoorrook 2025; Productivity Commission 2024c; Coalition of Peaks 2025a and 2025b).

## HOUSING

Like the child protection system, the Western model of housing marginalises Aboriginal and Torres Strait Islander people and children (Yoorrook 2025). The private housing market punishes the forms of disadvantage that disproportionately impact Aboriginal and Torres Strait Islander families, such as poverty, over-policing and child protection system over-surveillance, family violence and periods of incarceration or having a criminal record. In many communities, having a known Aboriginal name or 'appearing' to be an Aboriginal or Torres Strait Islander person is enough to be a barrier for private housing rental approval (AHURI 2019; Yoorrook Justice Commission 2025).

Across the housing sector, there is a lack of acknowledgement and understanding of the need for culturally appropriate housing that recognises and reflects kinship obligations and Aboriginal and Torres Strait Islander social and cultural norms (Yoorrook 2025; AHURI 2019).

## HOUSING AND CHILD REMOVALS

Access to stable, safe housing is a key aspect of keeping Aboriginal and Torres Strait Islander children safe from child removal (Newton et al. 2024). This is because homelessness and insecure housing, which often result from women trying to escape family violence or, simply, from poverty, are red flags for child protection systems in every jurisdiction (Human Rights Watch 2025; Yoorrook 2025; HREOC 1997).

Aboriginal and Torres Strait Islander families are often reliant on public and social housing. In the sometimes years-long wait for housing allocation, families are more vulnerable to child removal. Lack of access to housing impacts Aboriginal and Torres Strait Islander children at both ends of the OOHC spectrum: it is a driver of child removals, and when Aboriginal and Torres Strait Islander children exit the OOHC system, they are more likely than their non-Indigenous peers to become homeless (VACCA 2019).

Aboriginal and Torres Strait Islander children are also at greater risk of becoming homeless after leaving care, particularly if they have been in residential OOHC (VACCA 2020; Monash and SNAICC 2020; AIFS 2016; AHURI 2021). This transition from OOHC to homelessness or insecure housing is due to a range of factors, including:

- inadequate or complete lack of transition support and cultural planning when they age out of formal OOHC and into forced independence at 18, including mental health and trauma support,
- insufficient financial support from Centrelink upon leaving care,
- shortage of safe, stable and secure housing, and
- lack of culturally appropriate housing support services.

Currently, most mainstream and ACCO service providers are not funded to provide support for Aboriginal and Torres Strait Islander children leaving care (Monash University and SNAICC 2020; AIFS 2016).

## HOUSING AND PERMANENT CHILD REMOVAL

Permanency laws in a number of jurisdictions, including Victoria, which continues to have the highest child removal rate in the country (AIHW 2025, Table S5.1), mean that parents experiencing homelessness have

very limited time to secure safe housing to improve their chances of being reunited with their children (Yoorrook 2023). This often represents an insurmountable challenge for parents dealing with a range of issues beyond their control, from housing waiting lists and delays in being able to access alcohol and other drugs or mental health treatment (Newton et al. 2024). These systemic barriers to reunification are often compounded by 'the grieving process and potential shame of having your children removed' (Harrison 2022).

*Housing security is a crucial factor in the safety and welfare of Aboriginal children and young people. A great number of those currently living in out-of-home care would not have been removed from their families if they had better housing options* (AbSec 2024b).

## FAMILY, DOMESTIC AND SEXUAL VIOLENCE

### PREVALENCE

For Aboriginal and Torres Strait Islander children and families, family, domestic and sexual violence (FDSV) is a 'critical public health issue and a symptom of ongoing colonial violence' and the manifestation of generations of trauma (Yoorrook Justice Commission 2025) that affects every community in Australia. Overwhelmingly, violence against Aboriginal and Torres Strait Islander women and children is perpetrated by men, and this includes both non-Indigenous and Aboriginal and Torres Strait Islander men (AIHW 2025). Aboriginal and Torres Strait Islander women are 27 times more likely to be hospitalised due to family violence than non-Indigenous women (AIHW 2025).

To address Aboriginal and Torres Strait Islander women and children's experience of family, domestic and sexual violence, reforms must address the gendered, systemic and individual drivers of violence. This includes everyday experiences of a lack of physical, emotional and cultural safety in interactions with individuals, organisations and systems that are common for Aboriginal and Torres Strait Islander people (Productivity Commission 2024c).

### IMPACTS

The immediate and lifelong impacts of family violence on Aboriginal children have been well established and include:

- child removal, including permanent removal from family, community and country,
- housing insecurity and homelessness,
- interrupted education and poor education outcomes,

- greater risk of becoming victims or perpetrators in adulthood,
- social, cognitive and mental health impacts, and
- early and continuing contact with the criminal justice system and incarceration.

Failure to adequately address the causes of family violence and to provide intensive family supports has led to compounding intergenerational violence and criminalisation (Yoorrook Justice Commission 2023 and 2025).

### FAMILY VIOLENCE AND TERTIARY SERVICE OVER-REPRESENTATION AS EVIDENCE OF SYSTEM FAILURE

Direct or indirect exposure to FDSV is a primary driver of children entering child welfare systems. The risk of child removal is a major deterrent for women reporting FDSV, which has significant impacts on women's and children's safety and wellbeing.

Family violence is also a key driver of Aboriginal and Torres Strait Islander children's contact with the criminal justice system, leading to the 'crossover cohort' of children in OOHC and youth justice, and the so-called 'pipeline' from OOHC to youth justice and to adult prison (Yoorrook Justice Commission 2023 and 2025, RCIADIC 1991, AHRCTH 1997, ALRC 2018).

It is noted that there are significant gaps and limitations in available data about FDSV experienced by Aboriginal and Torres Strait Islander people, including children (ANROWS 2024).

This lack of reliable, consistent data increases the invisibility of Aboriginal and Torres Strait Islander children in policy and program responses to family violence (Australian Senate 2024; Victorian Commission for Children and Young People 2021).

### COMMUNITY-LED SOLUTIONS

Children are often overlooked in the FDSV system and are supported as extensions of their parents, rather than victim-survivors themselves. Early intervention and prevention for children is critical, requiring intentional investment and commitment by governments to support safer families and individuals.

There is an urgent need for programs and services to be led by the Aboriginal and Torres Strait Islander community-controlled sector to address the significant impacts of violence on children. These programs are crucial to recovery for those who are affected by FDSV (Yoorrook Justice Commission 2023 and 2025; Australian Human Rights Commission 2020a and b).

Responses to family violence grounded in community, culture and Country are key at every stage, including through increased community-led prevention and healing initiatives; addressing discriminatory

justice and policing responses; providing trauma responsive supports for victim-survivors and ensuring accountability of perpetrators. Culturally safe responses should seek to ensure that the removal of children from mothers who are victim-survivors is a last resort, and supports are put in place for children to be safely reunified when they are removed for reasons of violence (Yoorrook Justice Commission 2023 and 2025; Carlson et al. 2024; SNAICC 2017).

## HEALTH AND WELLBEING

Health and wellbeing outcomes for Aboriginal and Torres Strait Islander families are shaped by a complex interplay of historical and social determinants, many of which reflect ongoing systemic disadvantage. These factors intersect with statutory child protection processes, influencing risk assessments and decisions about OOHC placements. While these health-related issues are often framed as individual or family-level deficits, they are more accurately understood as structural outcomes of colonisation, dispossession and underinvestment in appropriate and culturally safe services.

## DISABILITY

Aboriginal and Torres Strait Islander people are more likely to experience disability, including severe and profound disability, compared to non-Indigenous Australians (ABS 2021b). This includes physical, cognitive and psychosocial disabilities, many of which are linked to environmental stressors and limited access to early intervention. Despite this, disability support systems remain fragmented and culturally inaccessible, with low uptake of services such as the National Disability Insurance Scheme (NDIS) in many communities (Royal Commission and Deloitte 2023). In the context of child protection, the presence of disability, whether in a parent or child, can contribute to increased surveillance and intervention, particularly when support needs are interpreted as neglect or inability to provide adequate care (Libesman et al. 2023).

A critical gap remains in the disability assessments and response for children in contact with child protection systems. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability found that many children in OOHC have undiagnosed or unsupported disabilities, and that child protection services often lack the capacity, training and frameworks to identify and respond to disabilities appropriately (Royal Commission 2023). Without timely assessment and support, children can miss critical windows for intervention, increasing the likelihood of long-term harm.

## INFANT AND MATERNAL HEALTH

Aboriginal and Torres Strait Islander mothers continue to experience higher rates of preterm birth, low birth weight, pregnancy complications and maternal deaths compared to non-Indigenous mothers (AIHW 2025b; AIHW 2023b). These outcomes are shaped by barriers to culturally safe antenatal care, racism in health services and social determinants such as housing instability and income insecurity. Where these factors exist and where there is no corresponding support for families, it may trigger early involvement from child protection services (NTLC 2024).

## SUBSTANCE USE

Within child protection systems, substance use is treated as an indicator of parental unfitness, rather than a health issue requiring intervention and support. Substance misuse often coexists with a broader context of trauma, mental illness and disadvantage. Aboriginal and Torres Strait Islander people are more likely to experience harmful impacts of substance use due in part to systemic inequities and limited access to culturally appropriate treatment services. Approaching substance use as an indicator of parental unfitness increases the likelihood of child removal over family preservation.

## MENTAL HEALTH

Aboriginal and Torres Strait Islander communities face disproportionately high rates of psychological distress, often linked to intergenerational trauma, racism and marginalisation (Darwin et al. 2023). Despite this, mental health services remain under-resourced in many regions and culturally inappropriate for many families. Where mental health issues are present, they are often viewed through a deficit lens in child protection assessments. Rather than triggering pathways to culturally safe care and recovery, mental illness is too often framed as a risk factor warranting removal of children, particularly when paired with substance use or poverty (AIHW 2025a).

*The evidence is clear, the solutions are in hand, and the case for action could not be stronger. Grounded in more than 65,000 years of cultural strength and community leadership, our models of care are ready to be implemented. What's missing is not direction; it is investment, accountability, and political will* (Gaya Dhuwi (Proud Spirit) Australia, 2025).

## YOUTH JUSTICE

*It is clear that the involvement of these young people in the justice system is a symptom of their early experiences, the trauma of state-inflicted violence and removal from their families and culture, ongoing victimisation and failure of systems to adequately support them and address their needs. It is further clear that more appropriate intervention and prevention mechanisms could have changed the trajectory for many of our children and young people.* (ACT Aboriginal and Torres Strait Islander Children & Young People Commissioner 2024)

### OVER-REPRESENTATION CONTINUES

Aboriginal and Torres Strait Islander children<sup>6</sup> continue to be vastly over-represented in every jurisdiction's youth justice system (Productivity Commission 2025b; AIHW 2024a; SCRGSP 2025). These alarming statistics are not reflective of these children's relative moral culpability or inherent criminality, but a direct result of systemic inequality, poverty, intergenerational trauma and the enduring impacts of colonisation.

As recognised in the Uluru Statement from the Heart:

*Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.*

As of July 2025, the Closing the Gap Target 11, which aims to, by 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30%, has made no progress since the baseline year of 2018-19 (Productivity Commission 2025b). Since 2020, the number of non-Indigenous children in detention has been decreasing while the number of Aboriginal and Torres Strait Islander children has been increasing (AIHW 2024a). In June 2025, Aboriginal and Torres Strait Islander children aged 10-17 were 27 times more likely to be incarcerated than their non-Indigenous peers (ibid).

In many jurisdictions, Aboriginal and Torres Strait Islander children make up the vast majority of incarcerated children: although they comprise only about 5.7% of people aged 10-17 in Australia, just under two-thirds (63%) of children in detention on an average day in 2022-23 were Aboriginal and Torres Strait Islander (AIHW 2024a).

Over-representation in the youth justice system is similarly acute for children aged between 10-13 years of age. In 2024, most incarcerated children aged 10-13 in Australia were on remand (75%), Aboriginal and Torres Strait Islander (60%) and male (90%). In NSW, Aboriginal and Torres Strait Islander children comprise 41% of children between the ages of 10-13 involved in police proceedings, despite representing only 6% of the child population (Poynton 2023). Sixty per cent of 10 to 13-year-olds in youth detention are Aboriginal and Torres Strait Islander (NSW Government 2024). In the June 2025 quarter in the NT, the overwhelming majority of children incarcerated were: Aboriginal, on remand and under 14. (NT Corrections Youth Detention Census 2025).

Overall, the number of Aboriginal and Torres Strait Islander children in the justice system continues to increase, although some progress is being made in decreasing the number of children aged 10-13 from entering the system. This is likely to change as jurisdictions adopt increasingly 'tough on crime' approaches to youth offending (see more on this in *Spotlight on doli incapax and raising the age of criminal responsibility*).

### DRIVERS OF YOUTH JUSTICE INCARCERATION

The massive over-representation of Aboriginal and Torres Strait Islander children in detention is a direct result of the continuing impact of colonisation, trauma and systemic discrimination (AIHW 2025, Productivity Commission 2024c, Yoorrook 2023). Additionally, at every point of the criminal justice system, punitive carceral measures are too often preferred to diversion (Holland et al, 2024; AHRC, 1997; SNAICC, 2024d; Yoorrook, 2023).

As noted above, for the majority of Aboriginal and Torres Strait Islander children, this pathway into the youth system is a continuation of their experience of being removed from their families, kin and communities. These 'crossover children' represent more than 75% of the children who become incarcerated in youth detention (AIHW 2024a). For too many children, this 'progression' through tertiary systems has become normalised and a rite of passage into adolescence (Northern Territory Coroner 2024, Office of the Children's Commissioner Northern Territory 2024, AIC 2020).

The younger cohort of children in youth justice overwhelmingly offend in groups, often drawn from residential care (Baidawi et al. 2024). This highlights that residential care continues to be an unsafe and criminogenic environment—increasing the risk of offending—for children.

One of the major contributors to the increasing number of Aboriginal and Torres Strait Islander children in youth detention is the intersection of state and territory policies to reverse or delay commitments to raise the age of criminal responsibility and to instead increase punitive laws denying children bail (*discussed in further detail below*). This combination guarantees the criminalisation of Aboriginal and Torres Strait Islander children. This issue is further explored in the Spotlight on doli incapax.

A large body of research has emerged in recent decades that identifies factors that can either correlate with or increase the risk of entering detention. For instance, children who are:

- in the child protection system are 12 times as likely as their peers in the general population to be under youth justice supervision (AIHW 2017, p. v);
  - there is also evidence that children in OOHC (particularly residential care) are often criminalised for behaviour that, if occurring in a family home, would not be reported to the youth justice system (CCYP 2023),
- involved in the youth justice system are more likely to have experienced family violence or neglect (Astridge et al. 2023),
- in youth justice settings are more likely to have experienced multiple traumatic stressors, which can be associated with developmental and health difficulties, and substance abuse (Harris 2023);
  - further, children in detention are more likely to have an undiagnosed disability (such as foetal alcohol spectrum disorder) or poor mental health (Bower et al. 2018; Telethon Kids Institute 2018),
- homeless due to failures in the child protection system—and those who access homelessness services—often overlap with those who are involved in the youth justice system (AIHW 2016; Yfoundations 2021);
  - homelessness is also a key barrier to accessing bail (AIC 2013, p. 65).

Disadvantage becomes criminalised when Aboriginal and Torres Strait Islander children do not have access to appropriate supports and services, and their communities are overpoliced. For instance, laws that regulate the use of public space or punish 'crimes of necessity' criminalise Aboriginal and Torres Strait Islander children for minor offences like fare evading on public transport or stealing food (ALRC 2018; Walsh 2019).

## SPOTLIGHT ON DOLI INCAPAX

The principle of doli incapax assumes that children until the age of 14 are not capable of criminal intent, unless it can be proved otherwise, with the onus of proof typically resting on the prosecution. If properly applied, doli incapax is designed to avoid unnecessary incarceration of children at a young age.

As it stands, in practice, the presumption of doli incapax is inconsistently applied and procedurally complex, and often results in children being investigated by police, held in custody or denied diversion while their 'capacity' is tested (YLA, 2020). The process is often subject to delays, resulting in children and their families being required to attend court repeatedly over several months, disrupting school, family and cultural life, sometimes only for the charges to be dropped (VALS 2022).

For Aboriginal and Torres Strait Islander children in particular, doli incapax has not disrupted over-representation; it has simply delayed or complicated the path into criminalisation (Russel et al., 2023).

Instead, doli incapax must be available from a child's first point of contact with that system. Reforms must also embed cultural authority into decision-making processes about doli incapax, ensuring that assessments of children's capacity are informed by community, kin and Elders.

SNAICC strongly recommends the establishment of a national Aboriginal and Torres Strait Islander-led independent monitoring and oversight mechanisms to monitor implementation of enforceable national child justice standards, including operationalisation of the presumption of doli incapax. As well as raising the age of criminal responsibility (*discussed below*), doli incapax should be strengthened for children aged between 14 and 17 to reflect current research that shows that brain development continues into the early twenties, and children mature at different rates (VALS 2022).

NSW is currently conducting a review of doli incapax (Department of Communities and Justice 2025).



Rather than further criminalising children, solutions to offending and over-representation should be grounded in self-determination and targeted at addressing the social determinants of criminalisation, including through increased investment in ACCO-led early intervention and culturally safe supports (SNAICC 2024a). To be successful, future responses must centre on children's dignity and their needs, not punishment.

## LACK OF ACCESS TO BAIL

Aboriginal and Torres Strait Islander people's access to bail is being restricted across Australia due to the tightening of bail laws. These laws continue and compound the harms of systemic discrimination against Aboriginal and Torres Strait Islander peoples that begins before birth and intensifies with child protection surveillance (Wright et al. 2024) and over-policing. Tightening bail restrictions set up vulnerable Aboriginal and Torres Strait Islander children for a life-long churn through the criminal justice system (Productivity Commission 2024c; Wright et al. 2024).

Some of the children on remand will go on to be found not guilty or may have had less time in custody if they had been granted bail. In 2023-24, 83% of Aboriginal and Torres Strait Islander children aged ten and over in detention were unsentenced, meaning they had either been charged with an offence and were awaiting the outcome of their case, or they had been found guilty and were awaiting sentencing (AIHW 2025). The majority of remanded children, even if found guilty, do not go on to get a custodial sentence (Sentencing Advisory Council 2020). This systemic bias towards remand over bail is a significant contributor to Aboriginal and Torres Strait Islander children's incarceration (Productivity Commission 2024c).

## IMPACTS OF 'TOUGH ON CRIME' LAWS AND POLICIES

So called 'tough youth crime' laws and policies continue to have a disproportionately harmful impact on Aboriginal and Torres Strait Islander children. Incarcerating children, particularly those aged 10 to 13, has been shown to be criminogenic—it does not act as a deterrent and does not create safer outcomes for anyone. Indeed, a staggering 94% of children imprisoned between the ages of 10 and 12 go on to receive another prison sentence before reaching adulthood (Singh 2017).



## AGE OF CRIMINAL RESPONSIBILITY AND URGENT NEED TO RAISE THE AGE

The minimum age of criminal responsibility in all Australian jurisdictions, except Victoria and the ACT, is ten years of age (AIFS 2025); an age when children are in grades 4 and 5 at school, and most still have baby teeth. In 2023-24, 385 Aboriginal and Torres Strait Islander children aged 10-13 were incarcerated in Australia (AIHW 2024a), which equates to almost 17 school classes of children.

The ACT recently raised the age of criminal responsibility to 14, and Vic raised the age to 12 in 2023. Vic further committed to raising the age to 14 by 2027, but reneged on that commitment, pending a review. Tas has committed to raising the age to 14 by 2029.

Some jurisdictions have not only turned their backs on raising the age reform but have re-introduced practices that contravene Australia's commitments under the Convention on the Rights of the Child and UNDRIP. Most notably, the NT has reversed their 2023 commitment to raise the age of criminal responsibility to 12 and has recently reintroduced legislation that has seen a return to the use of inhuman practices, such as spit hoods and isolation in youth justice centres that cause irreparable trauma to children (RANZCP 2025).

Raising the age of criminal responsibility from 10 to 14 across all jurisdictions is critical to keeping developmentally vulnerable children out of prison. Legislating an age threshold of 14 would reduce the current complexity of arguing criminal capacity under *doli incapax* and ensure that fewer children are criminalised for actions they are not developmentally capable of comprehending (Law Council of Australia 2023).

In 2020, a coalition of Aboriginal and Torres Strait Islander organisations and legal, medical and human rights groups formed a national campaign to push state, territory and federal governments to change the laws so that children under 14 cannot be charged with a criminal offence (Raise the Age Coalition 2021).

This position is also now supported by 30,000 General Practitioners, through the Royal Australian College of General Practitioners (RACOGP), who advocate a whole-of-system response with 'cross-cutting policy portfolios, prioritising the health and wellbeing needs of children and their families' (RACOGP 2025).

SNAICC fully supports the recommendations of the Raise the Age campaign and urges investment in the ACCO sector to deliver culturally safe services to support children and families in contact with the child protection system, rather than criminalising them (Raise the Age Coalition 2021).

## EARLY CHILDHOOD EDUCATION AND CARE

The early years are a critical period for children's development, laying the foundations for lifelong learning and wellbeing across multiple domains (Department of Education 2023). During this time, a child will grow 90 per cent of their brain and develop the capabilities to be happy and healthy (Moore et al. 2017). Quality and inclusive early learning enhance linguistic, cognitive and social-emotional capabilities with lasting impacts on developmental, educational and wellbeing trajectories (Department of Education 2023; Moore et al. 2017; and Campbell et al. 2014).

Data from the 2024 National Early Childhood Education and Care Workforce Census shows that Aboriginal and Torres Strait Islander children represent 4.4% of those receiving the Child Care Subsidy. This indicates an under-representation in early childhood education and care (ECEC) services, given that Aboriginal and Torres Strait Islander children make up 7.5% of Australia's 0-4-year-old population, a proportion expected to increase to 7.9% by 2031. Target 4 of Closing the Gap, which is to increase the proportion of Aboriginal and Torres Strait Islander children assessed as developmentally on track in all five domains of the Australian Early Development Census to 55% by 2031, is considerably off track, indicating that the national ECEC system and current policy settings are not promoting strong early development for Aboriginal and Torres Strait Islander children.

Any child protection report in a child's first 2,000 days is strongly associated with developmental risk at age five (Falster et al. 2025; also see Collier, Harman-Smith and Brinkman 2020). So, it is critical that quality early years support that is holistic in nature and culturally responsive is available (Falster et al. 2025).

Nationally, in 2024, only a third (at 33.9%) of Aboriginal and Torres Strait Islander children commencing school were assessed as being on track in all five Australian Early Development Census domains (Productivity Commission 2025a). While this measure is designed from a Western paradigm and, as such, may not accurately demonstrate Aboriginal and Torres Strait Islander children's full strengths, it is indicative of the need for increased access to culturally appropriate ECEC.

Access to ECEC remains challenging for some Aboriginal and Torres Strait Islander families, due in part to deficit-based funding definitions requiring a child to be 'vulnerable or at risk of harm, abuse or neglect' to be eligible for the Additional Child Care Subsidy (Department of Education 2023; Australian Government 2021). Accessing supports under this requirement can feel unnecessarily stigmatising and exposing for Aboriginal and Torres Strait Islander families with intergenerational experiences of harmful government intervention.

The most effective ECEC programs for Aboriginal and Torres Strait Islander children are those led by or co-designed with local communities (Department of Education 2023). Aboriginal-led integrated early years services are vital for the delivery of culturally appropriate early education and care, proven to set them on positive life trajectories. These services do so much more than provide ECEC. They build and reinforce positive self-identity, while working in holistic and integrated ways to support the wellbeing and capacities of families, including where there is child protection involvement. They bridge culture and mainstream pedagogies, preparing children for school while nurturing cultural strengths.

In 2024, there were only 166 Aboriginal and Torres Strait Islander-focused integrated early years services, comprising 107 Aboriginal and Torres Strait Islander community-controlled services with the remaining 59 services being government and/or non-Indigenous controlled (Productivity Commission 2025b). These services sit within the broader landscape of approximately 18,000 ECEC services approved to operate under the National Quality Framework (as of 1 July 2025) (ACECQA 2025). The scale and coverage of specialised early years' services fall well short of demand.

Many ACCO ECEC providers deliver integrated services within their communities regardless of whether they are funded to operate in this way. This can often include supporting families experiencing interventions. Recent inquiries have found chronic under-funding of ACCO early education and integrated early year services significantly limits their capacity to respond flexibly or effectively to community needs and recommended supply-side funding models to address this under-funding (see ACCC 2024; Productivity Commission 2024a).

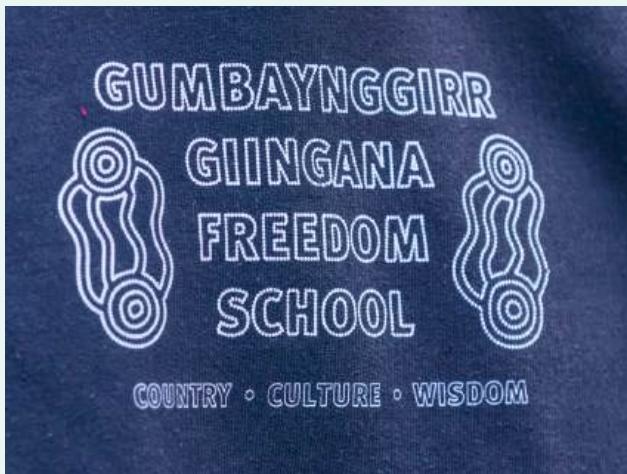
In May 2024, in a positive move, the Commonwealth Government released the first Early Years Strategy, outlining a commitment to universal access to quality ECEC. The strategy builds on existing national frameworks and acknowledges the unique challenges Aboriginal and Torres Strait Islander families face in accessing culturally safe, affordable services. Additionally, in February 2025, the Commonwealth Government passed legislation to remove the Child Care Activity Test and provide a higher rate of subsidised care for Aboriginal and Torres Strait Islander children of 100 hours per fortnight as a measure to contribute to closing the gap in developmental outcomes (effective January 2026), a long-overdue change that will help make ECEC more accessible for our communities (Department of Education 2025). While the Early Years Strategy recognises the critical role ACCOs play in delivering holistic, wraparound supports, real progress will depend on sustained investment and genuine partnership.

# CASE STUDY

## GUMBAYNGGIRR GIINGANA FREEDOM SCHOOL

### CULTURE IS THE CORE ON GUMBAYNGGIRR COUNTRY

Gumbaynggirr Giingana Freedom School (GGFS) is the first bilingual Aboriginal language school in NSW, placing culture at the core of its model, pedagogy and vision. GGFS opened in 2022 on Gumbaynggirr Country in Garlambirla/Coffs Harbour and is an independent, Aboriginal-led school run by the Bularri Muurlay Nyangan Aboriginal Corporation (BMNAC).



### THE GGFS MODEL & IMPACT

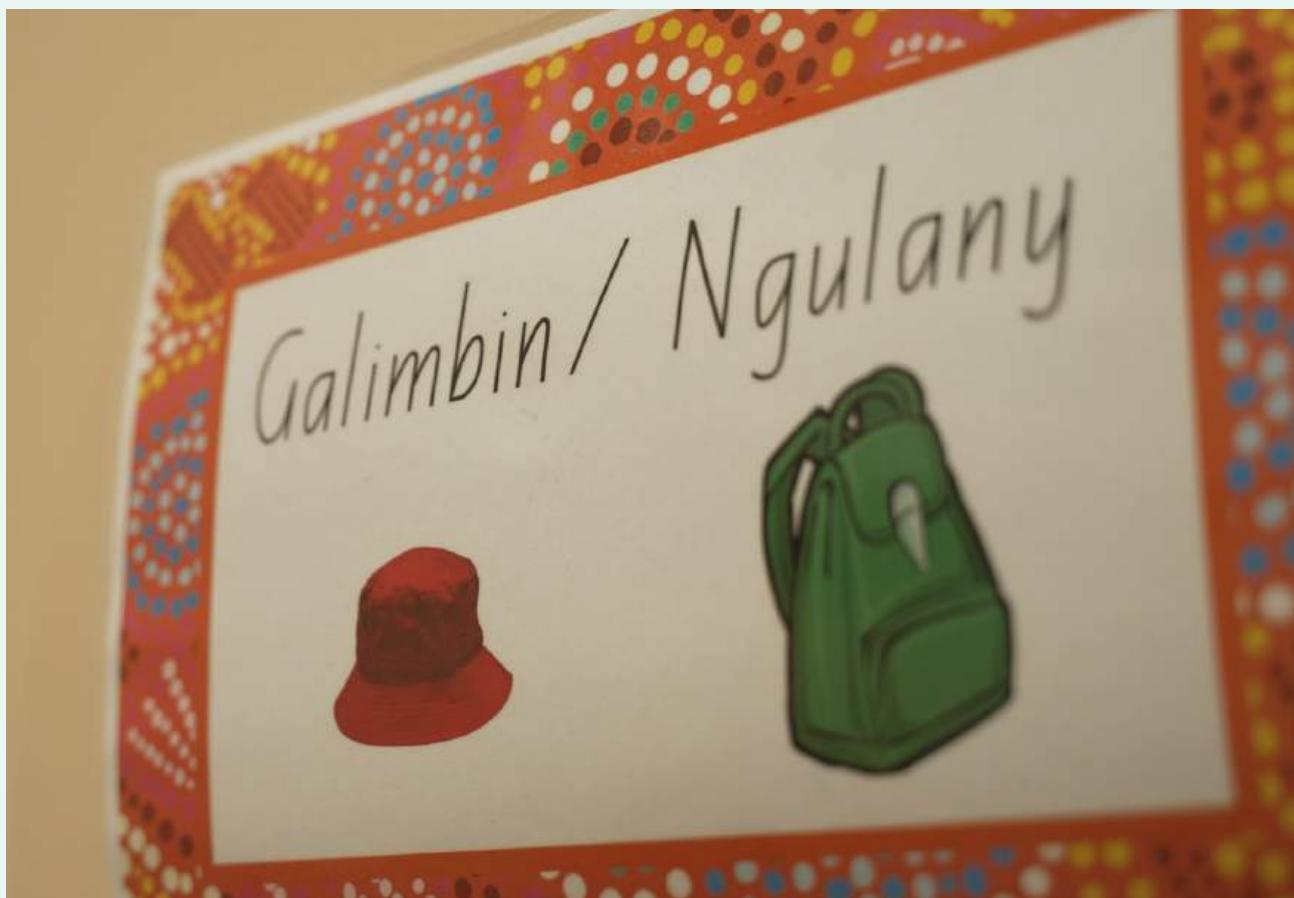
GGFS is founded on the principle that children have the right to learn through language and culture while achieving full academic outcomes. Under the leadership of Gumbaynggirr and Bundjalung man Clark Webb (CEO), Gumbaynggirr woman Ellie Buchanan (Language Director) and Bundjalung man Glen Cook (Principal), the school delivers education that is culturally grounded and academically strong. Its pedagogy is guided by three pillars: Wajaarr (Country), Guunu-warluuny (Culture) and Miindalay-gam (Wisdom). Students engage daily in song, dance, storytelling and on-Country learning while meeting NSW Education Standards Authority requirements in curriculum, assessment, teaching quality and school standards.

Classrooms initially paired teachers with language specialists, but due to the growth of all staff and students, the school is now transitioning to immersion. The school uses the Accelerated Second Language Acquisition (ASLA) method for language teaching, which was developed by Arapaho linguist Dr Neyooxet GreyMorning and has been used globally to revive First Nations languages for more than 20 years. ASLA mirrors the way children acquire their first language, prioritising oral comprehension, repetition, gestures and context-rich vocabulary.

GGFS opened in 2022 with 14 students (Kindergarten to Year 2), transforming a vacant TAFE facility into learning spaces, building a bilingual curriculum and establishing a financially sustainable model. By 2025, enrolment has grown to 82 students across Kindergarten to Year 8, with many Kindergarten students transitioning directly from the local Kulai Preschool. Kulai is central to the school's success, providing the earliest entry point for children to grow strong in language, culture and identity from the age of three.

Children who begin education at Kulai often arrive as competent speakers with a strong sense of cultural identity and confidence. Educators consistently observe that children from Kulai engage enthusiastically and demonstrate a deeper understanding of Gumbaynggirr language and culture, while peers from mainstream settings often need extra support to re-establish their cultural connection. This contrast demonstrates the impact of culturally strong early childhood environments in nurturing academic readiness, early years development and lifelong wellbeing.

In 2024, GGFS recorded a student attendance rate of 88.26%, not only surpassing the NSW average of approximately 84.4% for primary students but also exceeding the wider state attendance levels of 78.2% reported in Semester 1 across all government schools. For the community, GGFS has become a cornerstone of cultural revival and empowerment. Children thrive academically, socially and culturally; Elders have an important role in classrooms and on Country, ensuring intergenerational knowledge transfer and cultural authority; and families actively reconnect with language and culture through lessons and learning at home. The integrated, immersion-based model supports children's strong sense of cultural identity and belonging; protective factors shown to reduce disengagement from school, family and community, and to lower risks of contact with the youth justice and child protection systems.



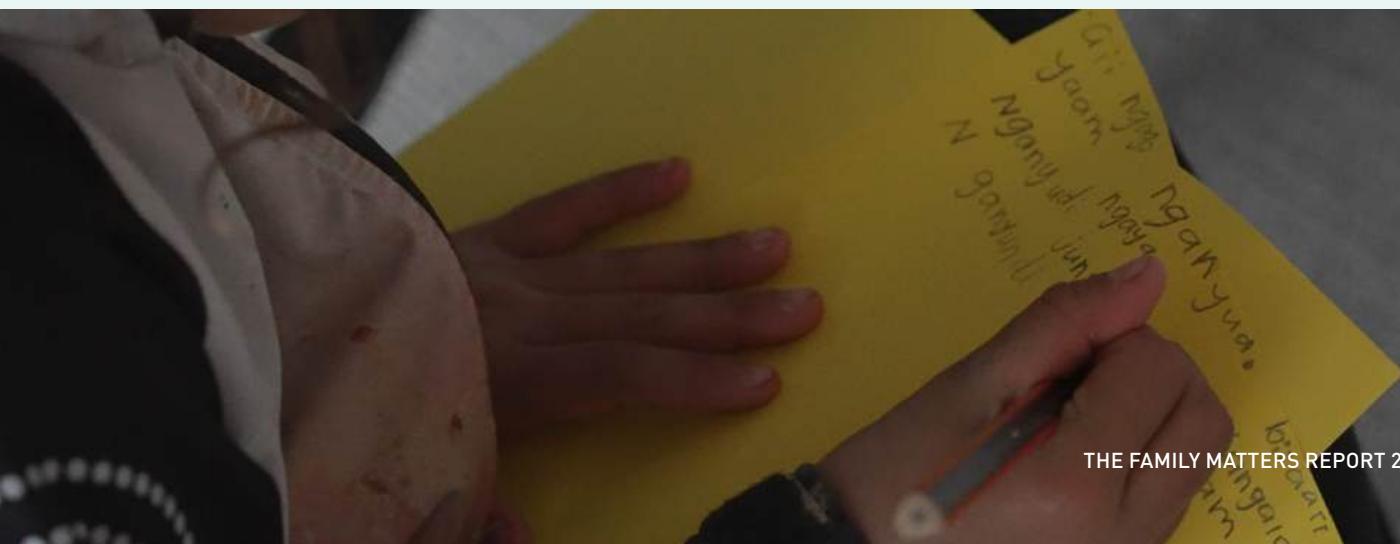
## FOUNDATIONS

GGFS is a testament to generations of Gumbaynggirr resilience, language revitalisation and cultural preservation. From the late 1800s, in the face of European invasion and colonisation on Gumbaynggirr Country, Elders recorded stories and knowledge to safeguard language for future generations. A century later, in the 1980s, these records became the foundation for rebuilding fluency and led to the establishment of the Muurrbay Aboriginal Language and Culture Co-operative. Since then, Muurrbay has published dictionaries, grammars and story collections, ensuring language is preserved and accessible. Building on this, Clark Webb founded BMNAC in 2010 to integrate language and culture into daily life.

Through after-school Goori Learning Centres, cultural programs and partnerships with local preschools like Kulai, BMNAC has opened language learning to hundreds of children and families, leading to the establishment of GGFS.

## BMNAC COMMUNITY IMPACT

BMNAC delivers programs across Gumbaynggirr Country that strengthen language, culture, education, employment and wellbeing. As at 2024, the organisation employs more than 40 Aboriginal and Torres Strait Islander staff, including 22 at GGFS, and engages over 1,000 weekly learners, contributing to 1,700 hours of immersion each year. Its programs span 17 preschools (supporting 554 children), community classes (95 learners), Goori Learning Centres (139 students) and the Nyanggan Girrwa program (76 students). Cultural camps and tours also reached more than 1,000 visitors in 2024. BMNAC operates social enterprises such as the Giingan Gumbaynggirr Cultural Experience and Nyanggan Gapi Café, which together reinvested over \$300,000 into community programs in 2023/24. Wellbeing initiatives like Maaning Barrmarrany Duguuta provided safe spaces for 21 students, 30 parents and caregivers, and 16 referrals in 2024, supporting healing, resilience and connection. Together, these initiatives form a holistic ecosystem of language, culture and care on Gumbaynggirr Country.



## FUTURE OF GGFS

GGFS demonstrates that when children are raised in language and culture, they thrive, and their families and communities thrive with them. In only a few years, the school has transformed an unused TAFE site into a vibrant bilingual campus with culture at its core. The vision is a circular learning pathway: children begin in an Aboriginal preschool, move through full K-12 Gumbaynggirr immersion, access culturally safe tertiary opportunities and return as teachers, academics and leaders. However, growth is constrained by funding, space, regulation and the need for additional fluent, accredited teachers. A neighbouring TAFE site to GGFS, which is soon to be vacated, offers a unique opportunity to expand the school. At present, GGFS is seeking NSW Government support to secure the site and funding to develop a purpose-built campus.

Together with Kulai and BMNAC, GGFS demonstrates the power of ACCO-led education and services in providing holistic, culturally safe supports that strengthen language, culture, family and community in young lives. The interconnected ecosystem of the school, preschools and services on Gumbaynggirr Country enables children to grow up safe, cared for and connected, while reducing the risks associated with disconnection and intervention through access to self-determined, community-led supports. In doing so, GGFS and BMNAC not only deliver better outcomes for Gumbaynggirr children and families but also exemplify that sustained government investment in culturally safe, ACCO-led approaches can drive lasting systemic change for Aboriginal and Torres Strait Islander children, families and communities.



## Strength in How We Raise Our Own

There is an intrinsic strength in how Aboriginal and Torres Strait Islander communities raise our children, grounded in millennia-old kinship systems and collective responsibility. These systems are not a simple alternative to Eurocentric perspectives of child-rearing. They are holistic, deeply relational and rooted in cultural continuity. They are established through the Dreaming and grounded in connection to Country, to lore, and to one another.

Every act of raising a child within our communities is an act of cultural transmission. It passes down not just knowledge, but identity, belonging and resilience. This is how we nurture our children: through culture, through connection, and through care.

Our kinship systems defy the nuclear family model imposed by colonisation. Aunties, uncles, grandparents and cousins all hold vital and unique roles in nurturing and guiding our young ones. This collective way to raise children acts as a web of safety.

When our young ones are held within culture, they thrive. They know who they are, where they come from, and that they are held by many.

Across communities, we see strength through our ability to reclaim cultural child-raising practices, weaving together ancestral knowledge with new strategies to protect and uplift our children in today's world. Our people continue to innovate from a place of strength. Whether through community-led childhood programs, local decision-making models or grassroots movements.



We've seen some government recognition of the strengths of culture in raising our children, seen especially through initiatives like Safe and Supported and the Family is Culture Review (Department of Social Services 2021; Davis 2019).

But recognition alone is not reform. These moments of acknowledgement, while important, have too often marked the end of the road, not the beginning of the structural change required. Governments have failed to turn recognition into meaningful reform. Removals are still rising. Children are still being placed outside of culture and community voices remain sidelined in the decisions that affect our families.

Culture is not an optional add-on to child protection; it is the ultimate foundation. If governments are serious about changing the trajectory for our children, then recognition and acknowledgement must lead to action. This action must strengthen families, support self-determination, and restore the power of community to raise our own.

Our communities are not waiting for permission to care for our kids. We are already doing it, with strength, pride and care.





# PART 2

## THE YEAR IN REVIEW

### 2.1 The policy context

#### NATIONAL AGREEMENT ON CLOSING THE GAP

The Closing the Gap framework was first introduced in 2008 as a national strategy led by the Commonwealth, state and territory governments to address inequalities between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians in areas such as health, education and economic opportunity.

In 2020, the National Agreement on Closing the Gap (the National Agreement) replaced the original National Indigenous Reform Agreement (NIRA), marking a significant change in approach developed in partnership with the Coalition of Peaks, representing Aboriginal and Torres Strait Islander organisations and peak bodies (Joint Council on Closing the Gap 2020). The National Agreement recognises the need to address structural inequality and to uphold the rights of Aboriginal and Torres Strait Islander peoples. Under the National Agreement, all states and territories have committed to 19 socioeconomic targets across areas that have an impact on life outcomes for Aboriginal and Torres Strait Islander people, guided by four Priority Reforms.

The Priority Reforms represent transformative whole-of-government commitments to drive positive change for Aboriginal and Torres Strait Islander communities. The Priority Reforms commit governments to shifting decision-making authority to Aboriginal and Torres Strait Islander peoples and empowering the community-controlled sector to lead the design and delivery of programs and services. Alongside this, the Priority Reforms commit governments to address systemic racism within their agencies and improve the sharing of data with Aboriginal and Torres Strait Islander people and organisations. If implemented to

their full extent, the Priority Reforms would bring about systemic changes consistent with the recommendations in this Family Matters Report under the Family Matters Building Blocks.

However, despite good intentions, meaningful progress remains elusive. The Productivity Commission's Closing the Gap Annual Data Compilation Report 2025 shows governments are falling short of their commitments, and many Closing the Gap targets are not on track to be met (Productivity Commission 2025a). This includes Target 12, which aims to reduce the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care (OOHC) by 45 per cent by 2031. As examined in Part 1 of this Report, the rate (per 1,000) of Aboriginal and Torres Strait Islander children and non-Indigenous children in OOHC and on third-party parental responsibility orders (TPPROs) has steadily increased over the past five years in all jurisdictions.

In fact, many Closing the Gap targets aimed at addressing persistent disparities in outcomes for Aboriginal and Torres Strait Islander children have stalled or are regressing. This is particularly evident with Target 4, which relates to early childhood development, showing only 33.9% of Aboriginal and Torres Strait Islander children assessed were developmentally on track in all five domains of the Australian Early Development Census <sup>7</sup>, which is a rate that has worsened since the 2018 baseline year at 35.2% (Productivity Commission 2025a).

Real change is possible, but it requires governments to uphold the National Agreement. This includes addressing gaps in data, particularly in relation to Target 13 on reducing family violence and abuse (as outlined in Part 1.3), by investing in Aboriginal and Torres Strait Islander data sovereignty and collaborative practices to ensure accurate data is collected. According to the Productivity Commission, no data for Target 13 has been collected, nor is there any plan to do so, due to concerns with data collection and the risk to participants (Productivity Commission 2024b).

All levels of government must strengthen their commitment in areas where outcomes remain stagnant.

Encouragingly, progress on Target 3—to increase the proportion of Aboriginal and Torres Strait Islander children enrolled in Year Before Full-Time Schooling early childhood education to 95% by 2025—is projected to be met. This demonstrates that when Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) are properly resourced and supported to grow, families engage and children thrive. The progress of Target 3 shows what is possible when governments work directly with communities and support Aboriginal and Torres Strait Islander-led solutions.

#### INDEPENDENT ABORIGINAL AND TORRES STRAIT ISLANDER-LED REVIEW OF THE NATIONAL AGREEMENT ON CLOSING THE GAP

The *Independent Aboriginal and Torres Strait Islander-led Review of the National Agreement on Closing the Gap* (the Review), published in 2025, found that while the National Agreement provides a strong framework, governments are still failing to deliver real change. The Review is the first Aboriginal and Torres Strait Islander-led assessment of how the government is delivering on the National Agreement. It looks beyond government reporting to examine whether commitments are translating into real change for communities, drawing on the lived experiences, priorities and perspectives of Aboriginal and Torres Strait Islander peoples.

The Review details an imbalance of responsibility, with ACCOs carrying the load of the work while under-resourced, and governments unwilling to transform their own systems. The Review warns that progress is being stalled by business-as-usual approaches rather than structural reform. It is explicit that systemic racism remains unaddressed, that short-term funding models block progress and that there is a lack of independent accountability to hold governments to account for progress against the National Agreement. At the same time, it highlights the strength of the community-controlled sector and calls for sustained investment, cross-sector collaboration and bipartisan political commitment.

#### EARLY CHILDHOOD CARE AND DEVELOPMENT POLICY PARTNERSHIP

The Early Childhood Care and Development Policy Partnership (ECCDPP) was established in 2022 under Priority Reform One of the National Agreement. Priority Reform One focuses on developing and strengthening structures to ensure the full involvement of Aboriginal and Torres Strait Islander peoples in shared decision-making at all levels of government. Consequently, five national policy partnerships have been established through this Priority Reform



Covering Outcomes 2, 3, 4, 12 and 13 of the National Agreement, the ECCDPP aims to bring together Aboriginal and Torres Strait Islander leaders, all Australian government early childhood education and care (ECEC) and OOHC systems to progress policy reform. Its purpose is to ensure Aboriginal and Torres Strait Islander children thrive in their early years, highlight community-led initiatives, strengthen collaboration between governments, the Coalition of Peaks and community organisations, and enable Aboriginal and Torres Strait Islander representatives to negotiate and implement agreements that support Closing the Gap. (Clark 2023) (SNAICC 2025). Other policy partnerships have been established in areas of justice, social and emotional wellbeing, housing and languages.

Given the major gaps in research when it comes to closing the gap, the ECCDPP commissioned two independent research projects:

The *Evidence on Optimal Hours of ECEC for Aboriginal and Torres Strait Islander Children* (SNAICC 2023) literature review found that at least 30 hours of high-quality, culturally safe early learning each week supports children's language, self-regulation, cognitive skills, wellbeing and cultural identity, giving them the best chance to succeed at school and beyond. It also highlighted the importance of culturally safe, flexible and community-led models of care to ensure families feel supported in accessing services.

The *Funding Model Options for ACCO Integrated Early Years Services* (SNAICC 2024b) report confirmed that

current funding arrangements are failing children and families. Short-term and fragmented approaches restrict ACCOs from delivering the holistic, culturally strong supports that communities need. Funding must enable ACCOs to provide both core services and flexible supports that reflect the needs of children and families, ensuring Aboriginal and Torres Strait Islander children have the best possible start in life, no matter their location or circumstance. While the report explores multiple viable funding models, it makes clear that there is no single model for ACCO-integrated early years services, as funding must allow flexibility for ACCOs to design services that work best for their unique communities.

Together, these research projects provide a strong case for reform, showing that Aboriginal and Torres Strait Islander children thrive when early learning is culturally safe and when ACCOs are properly resourced to deliver community-led, holistic supports. The recommendations of this Family Matters Report acknowledge that an increase in investment in ACCOs—and the transformation of government funding and procurement systems—are fundamental to improving outcomes for Aboriginal and Torres Strait Islander children.

Over the past year, the ECCDPP has continued to bring together Aboriginal and Torres Strait Islander leaders and governments to progress genuine partnership, strengthening accountability and pushing for equity in access to ECEC.



A key achievement has been supporting the establishment of the National Commissioner for Aboriginal and Torres Strait Islander Children and Young. Wurundjeri and Ngurai Illum Wurrung woman Adjunct Professor Sue-Anne Hunter was announced as the National Commissioner for Aboriginal and Torres Strait Islander Children and Young on National Aboriginal and Torres Strait Islander Children's Day, 4 August 2025 (*discussed in further detail below*).

The ECCDPP has also been central to the scrapping of the Activity Test, which was a major barrier that stopped many Aboriginal and Torres Strait Islander children from accessing subsidised care. The test linked the number of subsidised hours a child could receive to their parents' workforce participation, study or volunteering. This unfairly disadvantaged families experiencing poverty, unemployment or caring responsibilities, leading to children missing out on subsidised care. In February 2025, after strong advocacy, the Australian Government removed the Activity Test. As a result, Aboriginal and Torres Strait Islander children will have access to 100 hours of subsidised early childhood education and care each fortnight, regardless of their parents' employment status (SNAICC 2024c).

These reforms respond to the need for Aboriginal and Torres Strait Islander children to grow up safe and cared for, with their voices heard and their rights and wellbeing protected. In support of this work, the Australian Government committed an additional \$11.4 million in December 2024 to extend the ECCDPP until June 2028, ensuring Aboriginal and Torres Strait Islander voices continue to shape the policies that affect their children's futures (Department of Education 2025).

## SAFE AND SUPPORTED

*Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031* (Safe and Supported) is Australia's national plan to reduce child abuse, neglect and the intergenerational impacts of harm. Developed under Priority Reform One of the National Agreement, Safe and Supported was co-designed with Aboriginal and Torres Strait Islander leaders, government officers and child and family wellbeing experts, including SNAICC – National Voice for our Children (SNAICC).

Safe and Supported sets out a ten-year strategy delivered through two action plans, including the Aboriginal and Torres Strait Islander First Action Plan 2023-2026 (Aboriginal and Torres Strait Islander First Action Plan), as well as a broader First Action Plan 2023-2026 (First Action Plan). The First Action Plan, in parallel with the Aboriginal and Torres Strait

Islander First Action Plan, outlines the initial scope of activity under the Safe and Supported framework. The Aboriginal and Torres Strait Islander First Action Plan has a focus on reducing the over-representation of Aboriginal and Torres Strait Islander children in OOHC, and on strengthening safety and wellbeing through community-led and culturally safe approaches. Oversight is provided by the Aboriginal and Torres Strait Islander Leadership Group, chaired by SNAICC, which ensures cultural authority is prioritised and governments are held accountable for how systems respond to children and families.

The Aboriginal and Torres Strait Islander First Action Plan is groundbreaking. It is the first time there has been a dedicated plan for Aboriginal and Torres Strait Islander children, developed in partnership with an Aboriginal and Torres Strait Islander leadership group, in alignment with the Priority Reforms and strong partnership principles of the National Agreement.

As a result, the Aboriginal and Torres Strait Islander First Action Plan is underpinned by an Aboriginal and Torres Strait Islander-designed Theory of Change, which makes clear that:

- there are unique social and political dimensions to the challenges facing Aboriginal and Torres Strait Islander communities,
- governments and mainstream service systems must transform to improve outcomes for Aboriginal and Torres Strait Islander children, and
- self-determination of Aboriginal and Torres Strait Islander peoples is core to improving outcomes at the system, service and family levels.

The Safe and Supported framework is closely aligned with the Family Matters Building Blocks, and Family Matters Leadership has been instrumental in the development and implementation of actions under the plan.

As part of Safe and Supported, the *National Child and Family Investment Strategy* (the Investment Strategy) has been developed to guide how all governments will transition towards adequate and coordinated funding of early, targeted, healing informed, culturally safe support services delivered by ACCOs. In connection with the Investment Strategy, an Innovation Fund is providing \$9.8 million over three years to ten ACCOs delivering Child and Family Services in priority locations across Australia. This will trial approaches to transitioning resourcing to ACCOs and early intervention and prevention supports to inform implementation of the Investment Strategy. In doing so, the initiative supports a stronger role for ACCOs in delivering child and family supports and reinforces the importance of approaches grounded in culture and community (Department of Social Services 2025).

## IMPROVING MULTIDISCIPLINARY RESPONSES (IMR) PROGRAM

A major initiative under Safe and Supported is the Improving Multidisciplinary Responses (IMR) Program. The IMR Program was developed in partnership with Aboriginal and Torres Strait Islander leaders and organisations to improve how services respond to families with complex needs, and supports ACCOs to lead culturally safe and holistic service models. The Program is Department of Social Services funded and guided by self-determination, cultural governance and community leadership that centres Aboriginal and Torres Strait Islander ways of knowing, being and doing in all aspects of service delivery.

In 2024, the ACCOs participating in IMR came together from across the country for the program's first Community of Practice event. A strong message came through: 'mob know mob best', and it is vital that 'work is not done about us, without us'. The event showcased that when ACCOs have a real opportunity to shape a service model, it can deliver significantly better outcomes for Aboriginal and Torres Strait Islander children and families through strength-based, culturally responsive and place-based approaches that are led by and for Aboriginal and Torres Strait Islander communities. As the Community Partner, SNAICC has provided consistent, tailored support to all 15 funded grantees throughout their design and implementation journeys. This work aligns with the National Agreement, particularly in advancing the Priority Reforms on formal partnerships, building the community-controlled sector growth and building capacity to access data.

## SAFE AND SUPPORTED PARTNERSHIP AGREEMENT 2024

In 2024, the Safe and Supported Aboriginal and Torres Strait Islander Leadership Group and Community Services Ministers from across Australia came together for the first time as the Shared Decision-Making Committee to sign and launch the Safe and Supported Partnership Agreement (Partnership Agreement). The Partnership Agreement makes clear that governments must work with Aboriginal and Torres Strait Islander leaders, not consult after. Decisions are to be made by consensus, with Aboriginal and Torres Strait Islander representatives holding equal weight to governments, reflecting the right to self-determination under the United Nations Declaration on the Rights of Indigenous Peoples. Importantly, the Partnership Agreement sets the framework for accountability and shared leadership, while the Safe and Supported Action Plans detail the specific actions and reforms to be implemented. Together, they ensure that governments are held to account and that real systemic change can be achieved for Aboriginal and Torres Strait Islander children and families (Department of Social Services 2023).

## NATIONAL COMMISSIONER FOR ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN AND YOUNG PEOPLE

The 4 August 2025 appointment of Wurundjeri and Ngurai Illum Wurrung woman Adjunct Professor Sue-Anne Hunter as the first National Commissioner for Aboriginal and Torres Strait Islander Children and Young People (the National Commissioner) is a significant achievement.

For the first time, there will be a national voice dedicated to standing up the rights of Aboriginal and Torres Strait Islander children and young people, and driving improvements in areas such as the over-representation of Aboriginal and Torres Strait Islander children in OOHC. This achievement reflects years of advocacy by leaders, families and community-controlled organisations, supported by policy commitments, including Family Matters, Safe and Supported, the ECCDPP, as well as the work of SNAICC and the Coalition of Peaks. Together, these all contributed to turning advocacy into action, and the National Commissioner's role will push accountability at the highest level and ensure governments can no longer ignore the voices of Aboriginal and Torres Strait Islander children and young people.

The creation of the National Commissioner marks an important step towards stronger national advocacy for Aboriginal and Torres Strait Islander children's rights. International standards support ensuring the independence of such roles, noting that independence is best guaranteed through a clear legislative mandate and adequate ongoing resources to deliver on it (SNAICC 2019). At present, the National Commissioner has been established as an Executive Agency, which provides a platform to begin the work of oversight and advocacy (Department of Social Services 2024). Looking ahead, there are opportunities to consider how the role might evolve. We look forward to supporting the role of the National Commissioner to grow in strength and scope, grounded in self-determination and focused on ensuring Aboriginal and Torres Strait Islander children are safe, supported and thriving.



## 2.2 Jurisdictional efforts and community voices

Australian, state and territory governments were requested to provide information about their current strategies, actions and investments to reduce over-representation, and to provide data in key gap areas relating to support and outcomes for Aboriginal and Torres Strait Islander children and their families. Data provided has been used for the quantitative analysis in Part 1 of this Report, and the responses from governments regarding their efforts to address over-representation are provided below.

Aboriginal and Torres Strait Islander community-controlled peak bodies and organisations play a key role in calling for change and accountability in their states and territories. Accordingly, each year they are invited to comment on progress to address over-representation, including by responding to the government input described above. Commentary on progress to address over-representation was also sought from Commissioners for Aboriginal and Torres Strait Islander children and young people (or similar roles) in jurisdictions where they exist.



### Government input - provided by the Department of Social Services

The Australian Government is committed to reducing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems.

The Department of Social Services (the Department) invests in the following key programs and policies to reduce over-representation:

- Safe and Supported sets out Australia's 10-year strategy to make significant and sustained progress in reducing the rates of child abuse and neglect and its intergenerational impacts. Under Safe and Supported, the Australian Government has:
- Committed more than \$10 million to develop a National Child and Family Investment Strategy and trial its principles through an Innovation Fund.

- Committed \$5.9 million to establish a National Commissioner for Aboriginal and Torres Strait Islander Children and Young People as a first step towards a legislated, independent and empowered National Commissioner.
- Funded the *Barriers Experienced by Aboriginal and Torres Strait Islander Children and Families Accessing Legal Supports Scoping Study*.
- Funded the development of a Cultural and Parenting Practices Framework and resources.
- Committed \$49 million in the Improving Multidisciplinary Responses Program to enhance and support holistic responses to First Nations families to overcome risk factors that may lead to child abuse and neglect.
- Through the Families and Children Activity, the Department is investing more than \$317 million in early intervention and prevention services and programs, which deliver support to at-risk children and their families, including First Nations people, *(this figure includes Communities for Children Facilitating Partners, Children and Parenting Supports, Family and Relationship Services, Specialised Family Violence Services, Family Mental Health Support Services only)*. A full list of specific programs, including those delivered by ACCOs, is available at [www.dss.gov.au/families-and-children-activity](http://www.dss.gov.au/families-and-children-activity).

- The Closing the Gap Outcomes and Evidence Fund provides \$38.6 million to support ACCOs and other First Nations organisations to co-design, trial and evaluate projects aimed at contributing to Closing the Gap Targets 12 and 13 and improve the evidence base for Government and First Nations people.
- The *National Plan to End Violence against Women and Children 2022–2032*, including:
  - The Activities Addendum Update 2024 outlines progress on 463 actions under the First Action Plan 2023–2027, including initiatives that support Aboriginal and Torres Strait Islander families, children, and communities. The *Community-led Prevention Services, Programs and Campaigns for Aboriginal and Torres Strait Islander Children* grant program, under the *Aboriginal and Torres Strait Islander Action Plan 2023–2025* (Action Plan), is investing in ACCOs to prevent violence against women and children by delivering activities that challenge gender stereotypes and promote healthy relationships from an early age. Some funded organisations work closely with child protection services as part of their funded activities.

- The Department is developing *Our Ways – Strong Ways – Our Voices: National Aboriginal and Torres Strait Islander Plan to End Family, Domestic and Sexual Violence* (Our Ways). Our Ways will be a pivotal policy intended to guide a whole-of-society approach and act as a strength-based framework for all governments to address both the alarmingly high rates of violence and the barriers to accessing support as part of ongoing efforts to achieve Target 13 of the National Agreement on Closing the Gap. Our Ways will also work alongside Safe and Supported to make progress towards Closing the Gap Target 12.
- the *Healing for Strong Families* program: supporting women, children and families impacted by family violence and at risk of engaging in the child safety system, through the delivery of seven place-based, trauma-aware and culturally responsive healing programs aimed at early intervention, recovery and supporting families,
- Connected Family Safety Services: community networks established in five locations to improve collaboration and service delivery integration across the family safety sector,
- Continued funding for successful initiatives established under the third and fourth Action Plans under the previous *National Plan to Reduce Violence against Women and their Children 2010–22*, with a focus on culturally appropriate, trauma-informed services for whole families, including practical intervention programs for people at risk of experiencing or using violence. This includes sector strengthening initiatives such as Stronger Family Safety Services, which build the capacity of First Nations organisations to deliver family violence support services to First Nations clients.

The Attorney-General's Department funds the First Nations Family Dispute Resolution subprogram to support families dealing with separation and assist them in resolving post-separation family disputes without going to court. The subprogram is a part of the broader Family Relationships Services Program.

Treasury is funding \$91.7 million over 3 years (to 30 June 2026) in youth homelessness prevention services through the Reconnect program. This includes around \$5.4 million to 5 ACCOs to support First Nations Young people.

### Government input - provided by the National Indigenous Australians Agency

The National Indigenous Australians Agency (NIAA) works in partnership with First Nations peoples and other government agencies to improve the safety and wellbeing of First Nations children and young people.

Safe and Supported is a key mechanism through which the Australian Government is addressing Closing the Gap Target 12 to reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031.

The establishment of the National Commissioner for Aboriginal and Torres Strait Islander Children and Young People (the National Commissioner) on 13 January 2025 represents a significant step forward in the Commonwealth's commitment to listen to and meaningfully engage First Nations peoples to promote systemic change. The National Commissioner will play an important role in protecting and promoting the rights, interests and wellbeing of First Nations children and young people, and in embedding the partnership elements of the National Agreement on Closing the Gap.

Under the *National Plan to End Violence against Women and Children 2022–2032*, the NIAA is delivering a number of initiatives, including:

Under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030*, the NIAA is implementing:

- Project BIRD (Believe, Inquire and Respond to Disclosure): a trauma-aware, healing-informed and culturally appropriate national training package for frontline healthcare workers to improve early disclosure experiences and access to specialist services for First Nations victims and survivors of child sexual abuse, and
- the Supporting Healing for Families program: First Nations-led, trauma-aware healing initiatives for communities affected by child sexual abuse in 5 locations.

The *National Aboriginal and Torres Strait Islander Early Childhood Strategy* (the Strategy), developed by the NIAA in partnership with SNAICC, supports First Nations children to thrive in their early years across priority areas including safety, family support, education, health and culture. The Strategy reflects community priorities and provides evidence-based reform opportunities to strengthen collaboration across governments, guide future policy and investment, and align services that impact early childhood outcomes.

The *Indigenous Advancement Strategy* (IAS) also funds activities that strengthen families, support healing and enable children to thrive. Over the 2023–24 financial year, the IAS Children and Schooling program provided around \$276 million to increase school attendance

and improve educational outcomes and the IAS Safety and Wellbeing program provided over \$309 million for activities that support communities to be safe and the social and emotional wellbeing of First Nations Australians.

**Note:** *Participation figures collected through performance reporting do not include a breakdown by whether participants identify as Aboriginal and Torres Strait Islander. As IAS-funded services are designed to support Aboriginal and Torres Strait Islander peoples, it is expected that participants identify as such.*



## AUSTRALIAN CAPITAL TERRITORY

### Government input - provided by the ACT Health and Community Services Directorate

The Australian Capital Territory (ACT) Government is actively embedding the Child Placement Principle in its child safety and family support systems. This has been guided by the *Our Booris, Our Way* review, which addresses over-representation of Aboriginal and Torres Strait Islander children in the ACT child safety system. A whole-of-government approach is building cultural safety, community leadership and early support to better meet the needs of Aboriginal and Torres Strait Islander families in the ACT.

The ACT's prevention efforts focus on early support and culturally safe services. This aligns with Building Block 1 and is demonstrated in the First Nations Family Response and Engagement Team, which provides culturally informed assistance from initial contact to avoid statutory intervention. Other prevention work includes a pilot of three-year-old developmental checks in early childhood education and care settings, including Koori preschools.

The ACT has also raised the minimum age of criminal responsibility to 14 years, introducing coordinated therapeutic support for children and young people who are at risk of harming themselves or others, focusing on early intervention and sustainable diversion from the justice system.

The ACT Government has formalised shared governance through a Partnership Agreement with the Our Booris Our Way Implementation Oversight Committee, an independent Aboriginal and Torres Strait Islander committee that monitors progress against recommendations from the Our Booris,

Our Way review. This approach is building accountability in line with Building Block 4. Another driver for improved accountability has been the establishment of the inaugural ACT Aboriginal and Torres Strait Islander Children and Young People Commissioner.

Strategic investment in ACCOs is responding to Building Blocks 1 and 2, with funding initiatives such as the ACCO Establishment and Expansion Fund and infrastructure support for organisations like Gugan Gulwan Youth Aboriginal Corporation and Winnunga Nimmityjah Aboriginal Health and Community Services. This work is strengthening cultural authority through actions like the registration of Yerrabi Yurwang Child and Family Aboriginal Corporation as the first ACCO on the Care and Protection Organisation Register in the ACT.

The ACT has made legislative changes that mandate culturally appropriate placement decisions, in line with Building Blocks 2 and 3. These amendments also enabled the introduction of external merits review from July 2025. The ACT Government is testing the use of culturally informed tools like the Winangay Kinship Assessment tool and expanding therapeutic services to support restoration and reduce reliance on residential care. To support this work, the Family Connection and Restoration team works closely with families to strengthen cultural ties and explore reunification.

The ACT is enhancing family-led decision-making through Family Group Conferencing (FGC) and the *Charter for Parents and Families involved with ACT child protection services*, in line with Building Blocks 2 and 4. Legal advocacy is supported by the Aboriginal Legal Service, and the Aboriginal and Torres Strait Islander Care Pathway Panel ensures community perspectives are reflected in legal proceedings. The ACT Government is committed to further legislative reforms to empower strengthened delegation to ACCOs, empowering community-led care in line with Building Block 2.

The ACT is continuing initiatives to strengthen and preserve cultural identity and community ties for Aboriginal families in the ACT. Programs like Connected Beginnings Playgroup and Growing Healthy Families foster cultural engagement through playgroups, youth groups and community events. Cultural safety is embedded in staff training, service environments and therapeutic practices in services delivered through the ACT's Child Development Service and Child and Family Centres, which provide universal services in a culturally safe way, to meet families' needs. The ACT Government also supports kinship carers to maintain strong cultural connections. This body of work encompasses efforts under Building Blocks 1 and 3.

Across all elements of the Child Placement Principle, the ACT Government seeks to uphold self-determination, cultural continuity and inclusive reform. Through legislative change, strategic investment and

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

community partnerships, the ACT aims to build a child safety system that responds to the strengths of Aboriginal and Torres Strait Islander children, families and communities. Progress is demonstrated in a 33 per cent decrease in substantiated child concern reports for Aboriginal and Torres Strait Islander children and young people over the previous year (2024-25).

### Community voices – provided by Our Booris, Our Way Implementation Oversight Committee

The *Our Booris, Our Way* (OBOW) Implementation Oversight Committee (the Committee) continues to advocate for full implementation of their 28 recommendations to improve both outcomes for and experiences of Aboriginal and Torres Strait Islander children and families engaged in the OOHC system in the ACT (Our Booris, Our Way Steering Committee 2019), having done so for the past seven years. There has been positive progress in several recommendations, showing the OBOW Committee's efforts with Government are leading to positive outcomes.

Prior to the current reporting period, the full intent of the Child Placement Principle (Recommendation 5) was legislated in the *Children and Young People Act*, with 'Active Efforts' included in amendments to the legislation to ensure caseworkers and decision-makers take purposeful and timely actions to support Aboriginal and Torres Strait Islander children and families (ACT Legislative Assembly 2023). In June 2025, the *Public Sector (Closing the Gap) Legislation Amendment Bill 2025* was also introduced, aiming to hold public servants legally accountable for achieving Closing the Gap targets (ACT Legislative Assembly 2025a).<sup>8</sup>

There has been progress in system oversight, in line with Recommendation 16. The Aboriginal and Torres Strait Islander Children and Young People Commissioner Bill 2022 established an independent statutory office with oversight on issues affecting Aboriginal and Torres Strait Islander children (ACT Legislative Assembly 2022). Likewise, a Children, Young People and Families service provider panel has been established to deliver statutory and non-statutory services to children, young people, families, and carers, and for the first time, includes ACCO representations.

Over the reporting period, there has been further progress against OBOW recommendations. The Community Services Directorate (CSD) (recently changed to the Health and Community Services Directorate) has developed internal structures that support greater Aboriginal leadership in decision-making. This involves specific teams that focus on prevention and family and kinship supports across intersecting domains such as the First Nations Family Support Team (FNFST), the Family Group Conferencing

team, and the First Nations Kinship Liaison Officers (Recommendation 10A). Intended to operate in alignment with the Child Placement Principle, FNFST has supported over 200 families with an Aboriginal-led leadership of ongoing case management and development of pathways to reunification (Recommendation 12) (ACT Legislative Assembly 2025b, p.7). Further, yearly Aboriginal health checks are now mandatory (Recommendation 14).

While there has been significant progress over the years since the Report was submitted to the Legislative Assembly and gained full support for implementation, many recommendations remain unimplemented. The establishment of the ACT ACCO Establishment and Expansion Fund is a positive step, but sustained and long-term funding is required to support further increases in early and targeted assistance that are child and family focused.

Although HCSD has established a team that focuses on reunification, greater investment is needed in both time, energy, funds and community relationships to ensure that, wherever possible, children are connected to family. Unfortunately, Aboriginal and Torres Strait Islander children continue to be placed with non-Indigenous carers and in residential care, with this "set and forget" approach limiting their cultural connection and wellbeing.

Recommendation 17 has been a focus for the Committee for a long time, as it is recognised that building the Aboriginal and Torres Strait Islander workforce across both the statutory and community-controlled systems remains critical. There has been progress in the background, including the development of both para-professional pathways and Aboriginal and Torres Strait Islander Pathways and pending Union approvals, these should be operational in the first half of 2026. A workforce development plan that includes the Community Sector and ACCOs is also critical. Non-Indigenous staff will also need continued training to strengthen cultural capability and trauma-informed practice.

CSD have improved data reporting processes to provide disaggregated data on kinship care (Recommendation 20); however, the ACT government is still working on having definition of kinship as agreed by community embedded into legislation. As noted in the Partnership Agreement between the OBOW Committee and the Community Services Directorate (ACT Government 2025), it is essential that data are shared in a timely and transparent way to facilitate two-way knowledge sharing and relationships built on trust and collaboration.

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### Government input - provided by the Department of Communities and Justice

In June, the New South Wales (NSW) Government announced a landmark \$1.2 billion child protection package as a highlight of the NSW 2025-26 Budget. This record investment will enable the government to deliver important OOHC reforms, delivering real change for safer, stable and higher-quality care for children and young people. Published in February 2025, the NSW Government Department of Communities and Justice's (DCJ) Reform Plan: transforming the out-of-home care system in NSW outlines a comprehensive reform strategy to keep families safely together wherever possible, connected to their communities and supported to thrive.

While a reform of this magnitude will take time, we are seeing early results. There has been a decreasing trend in the number of Aboriginal children and young people under the parental responsibility of the Minister over the last four years. As at 30 June 2025, there was a small increase in Aboriginal children in the parental responsibility of the Minister (PRM) compared to 30 June 2024. This increase equates to a one per cent increase in Aboriginal children who were under PRM from 6,132 to 6,201. However, this result is still lower than at 30 June 2022 and 30 June 2023. At the same time, the number of non-Aboriginal children in PRM has been declining at a faster rate. This means the rate of over-representation is increasing, but also that more Aboriginal children are staying safely at home with their families.

This has been achieved through:

- continued implementation of recent amendments in the *Children and Young Persons (Care and Protection) Act* (i.e. Active Efforts and the Aboriginal and Torres Strait Islander Children and Young Persons Principle),
- greater investment in ACCOs delivering early intervention, prevention, intensive family support services and OOHC services,
- investing in programs and partnerships that enable greater participation by Aboriginal children, families, communities, peaks, and organisations in decision-making,
- addressing cultural biases in the Structured Decision-Making risk assessment tool by introducing an interim assessment approach to risk assessment,

- providing more support for expectant parents to keep their newborn safe and well; this includes \$21.5 million over four years, from 2022-23, to fund statewide implementation of Pregnancy Family Conferencing,
- enhancements to the Family Group Conference (FGC) program to increase the number of Aboriginal facilitators, provide increased professional supports and improve data collection, and
- increased accountability mechanisms to safeguard decisions that impact Aboriginal children and families through the establishment of Safeguarding Decision Making for Aboriginal Children (SDMAC).

The NSW Government will continue to build on these initiatives through our significant child protection and OOHC system reforms underway.

### BUILDING BLOCK 1

#### Access to Quality, Culturally Safe Services

NSW continues to increase investment in universal and targeted prevention and early intervention support services to improve access to quality, culturally safe services for Aboriginal children and families. This includes:

- Investing \$98 million under Brighter Beginnings to deliver six new Aboriginal Child and Family Centre (ACFCs) by June 2027, and to enhance the existing nine centres, including almost doubling the annual operational funding for each centre to \$1.1 million. ACFCs provide holistic, wraparound supports for Aboriginal children and families, combining early childhood education and care, health and family support services in one culturally supported and community-led environment.
- NSW is investing \$900 million to transform Family Preservation and deliver better outcomes for Aboriginal children and families. 40 per cent—almost \$350 million—is targeted to ACCOs, with most of this investment delivered through the *Aboriginal Family Preservation* framework. Developed over three years in partnership with AbSec – NSW Child, Family and Community Peak Aboriginal Corporation (AbSec) and co-designed with Aboriginal families, communities and ACCOs, the framework encourages more culturally supported, community-led service models. The procurement process is expected to be finalised in the coming months, with new contracts commencing on 1 April 2026.
- An approved recommissioning approach for the Targeted Earlier Intervention and Family Connect and Support programs for a new contract term of 5.5 years from 1 January 2026 to 30 June 2031 under the Community and Family Support (CAFS) program. The program will continue to deliver more culturally

safe, responsive and flexible support services to meet the needs of children, young people, families and communities. The recommissioning approach will deliver at least 15 per cent investment of CAFS funding in ACCO service delivery, which doubles the previous investment.

## BUILDING BLOCK 2

### Participation and Control in Decision-Making

DCJ continues to strengthen shared decision-making with Aboriginal communities through governance partnerships, targeted investment, and reforms that embed Aboriginal cultural authority at every level of the child protection system.

The Ministerial Aboriginal Partnership Group, co-chaired by the Minister for Families and Communities and AbSec, provides high-level oversight of child protection reform for Aboriginal children and families. Under the Partnership Agreement between DCJ, AbSec and the Aboriginal Legal Service (NSW/ACT) (ALS), partners are jointly designing and evaluating statutory assessment and decision-making frameworks, with oversight through the Closing the Gap governance structure. Aboriginal leadership is also embedded through the Joint Protocol Steering Committee with NSW Health, which is developing culturally supported, trauma-informed child protection processes. In addition, NSW's participation in Safe and Supported ensures Aboriginal representatives share governance through the national Shared Decision-Making Committee.

Shared decision-making is also reflected in increased investment for Aboriginal organisations and community peaks. DCJ has significantly increased funding to AbSec, ALS and ACCOs to lead Aboriginal-designed programs and frameworks. In 2024-25, \$316.8 million (13.68 per cent of total DCJ human services funding) was directed to ACCOs, with 40 per cent of future Family Preservation funding—approximately \$70 million annually—to be delivered through Aboriginal organisations.

Significant funding has been provided to AbSec, including \$1.7 million under the State Peaks Program, \$3.9 million to develop an Aboriginal-led commissioning framework, \$8.7 million for Strong Families Our Way to establish Aboriginal Community Controlled Mechanisms, and \$1.1 million under the Partnership Agreement to design the new approach for child protection. ALS have been funded \$1.1 million under the Partnership Agreement, and \$9.9 million for early intervention legal services for families. DCJ is also developing an Aboriginal Sector Investment Strategy to support ACCO capacity building, further increase ACCO investment and support Priority 2 of the National Agreement.

At the system level, the Aboriginal Case Management Policy, Active Efforts requirements, Aboriginal Family Led Decision-Making, SDMAC Panels, and Aboriginal Community Controlled Mechanisms are embedding Aboriginal voices and authority across decision-making processes. These reforms collectively strengthen self-determination, increase cultural safety, to improve outcomes for Aboriginal children and families.

## BUILDING BLOCK 3

### Culturally Safe Law, Policy and Practice

NSW has implemented significant reforms to embed cultural safety in child protection practice. The Cultural Planning in OOHC mandate was developed with operational and Aboriginal practitioners and is in line with recommendations from the *NSW Family is Culture Review* (2019). The mandate requires that active efforts be made to maintain children's connections to family, community, and Country. Best efforts are made to ensure placement decisions comply with statutory principles (*sections 10A, 12, 12A and 13 of the Children and Young Persons (Care and Protection) Act 1998*) and include detailed cultural support planning.

DCJ has established a Carer Placement and Permanency Assessment Team, led by Aboriginal practitioners and using the Winangay tool to promote culturally responsive carer assessments. An Aboriginal restoration initiative will form part of a restoration strategy that is planned to be published in 2026. Improvements to guardianship practice include six clear steps with cultural permanency as a priority, supported by system changes in Childstory.

In line with Closing the Gap Priority Reform Three: Transforming Government, DCJ is implementing its Anti-Racism Strategy (the Strategy), focused on building anti-racist capability amongst its workforce and workplace processes. The Strategy provides a roadmap to increase DCJ's racial literacy at an organisational level. Initiatives under the Strategy sit under four key priority areas:

- leadership capability: assessing and building leadership capability on anti-racism principles and approaches,
- policy and procedural reform: embedding anti-racism practices when reviewing and reforming workplace policies and processes,
- support employees: supporting employees who experience racism with care, trust and support, and
- building racial literacy: building anti-racism literacy across DCJ so our systems and practices amplify equitable outcomes.

## BUILDING BLOCK 4

### Accountability to Aboriginal and Torres Strait Islander People

NSW is committed to strengthening accountability to Aboriginal communities through structural reform, transparent data practices and inclusive governance. This commitment is reflected in the establishment of shared decision-making mechanisms, investment in Aboriginal-led oversight and efforts to improve data governance and system transparency.

Structural mechanisms, such as the Ministerial Aboriginal Partnership Group, Closing the Gap governance arrangements, the Partnership Agreement with AbSec and ALS, Safe and Supported, the Joint Protocol with NSW Health, and Safeguarding Decision-Making Panels, provide Aboriginal organisations with broad participation, transparency and oversight across child protection and OOHC systems. These arrangements ensure Aboriginal voices are embedded in reform design, implementation and monitoring.

NSW recognises the establishment of a dedicated statutory Aboriginal Children's Commissioner as a key priority for Aboriginal stakeholders. Discussions are progressing through the Safe and Supported governance structures, with jurisdictions collaborating to define minimum requirements for such a role while avoiding duplication with existing oversight bodies.

DCJ is enhancing transparency through improved data capture on Aboriginal participation in decision-making and cultural planning. Updates have been made to the Client Information System, Childstory, to allow for detailed recording of Active Efforts, placement decisions, cultural identity and family involvement.

NSW is expanding Aboriginal governance over government-held data through the development of a whole-of-government data access policy, community-led models of Aboriginal Data Sovereignty, and partnerships to improve access and use of child protection and OOHC data. Initiatives such as the Pathways of Care Longitudinal Study, Aboriginal Impact Statements and the Aboriginal-led Data Sharing Dashboard provide Aboriginal communities with meaningful participation in data design, interpretation and application.

NSW funds AbSec through the State Peaks Program until 31 December 2025 and is currently undertaking a direct negotiation process to recommission AbSec to deliver the newly named Community Sector Peak Program from 1 January 2026 to 30 June 2028. The NSW Community Sector Peaks Program is one of the means by which DCJ engages its partners to work collaboratively to identify and understand needs and address challenges faced by the community services sector.

### Community voices – provided by AbSec – NSW Child, Family and Community Peak Aboriginal Corporation & Aboriginal Legal Service (NSW/ACT) Ltd

In November 2024, AbSec and ALS published our Family Is Culture: 'Five Years On' Community Report (AbSec and ALS 2024). This was a comprehensive reflection back on the preceding five years of advocacy by the peaks, with a statement that Family is Culture (FIC) reform should be led by community. It also included calls to government to transition funding to Aboriginal and Torres Strait Islander community-led supports for children and families, focusing on prevention, preservation and restoration.

### STRENGTHENING ACCOUNTABILITY

The critical need for strengthening accountability in the child protection system has been repeatedly raised over the years, but with little meaningful action from governments. There are persistent inequities affecting the lives of Aboriginal and Torres Strait Islander children and the enjoyment of their rights across multiple systems that require oversight, advocacy and action. Following years of calls from both peaks for the Establishment of a Child Protection Commission (*a recommendation of the FIC Report*) and a NSW Commissioner for Aboriginal and Torres Strait Islander Children and Young People, AbSec, in partnership with the University of Technology Sydney Jumbunna Institute for Indigenous Education and Research, drafted a paper on strengthening accountability for Aboriginal and Torres Strait Islander children and families that proposes the above two accountability mechanisms.

Both the NSW Child Protection Commission and the NSW Commissioner for Aboriginal Children and Young People can complement each other to provide broad-spectrum, rights-focused oversight and advocacy, including in relation to youth justice and other systems. It would meet the government's obligations under the Safe and Supported Aboriginal and Torres Strait Islander First Action Plan. Further, it represents a relatively small financial investment compared to the significant lifetime costs associated with current systems. Crucially, this would send a clear message to the public, to Aboriginal and Torres Strait Islander communities, and—most importantly—to children and young people themselves, that their safety, rights and wellbeing are at the centre of everything, and are backed by rigorous mechanisms for oversight and accountability.

### WORKING IN GENUINE PARTNERSHIP

A Partnership Agreement was signed by DCJ, AbSec and ALS in May 2025 to design, implement and evaluate the policies, practices, procedures and

assessment frameworks governing statutory child protection assessment and decision-making in NSW. It also incorporates a project to map and align the recommendations of the FIC report against current system reforms and to prioritise recommendations for implementation.

The focus of the partnership agreement is to embed shared decision-making and transform the way DCJ does business in the development and implementation of its policies.

To date, DCJ has failed to transform and engage in genuine partnership with ACCOs who are providing critical supports to children, young people and families. DCJ has introduced mid-contract variations to the Permanency Support Package agreements, which include:

- a requirement for DCJ approval of all asset purchases above \$10,000,
- a cumulative cap on asset purchases beyond \$10,000, and
- a limit of just two (2) per cent on annual funding rollovers.

These variations undermine the autonomy of ACCOs and their accountability to communities<sup>9</sup>.

They shift critical decision-making away from community-controlled organisations to government bureaucracy. While the changes are framed as measures to improve accountability, they may, in fact, reduce transparency by introducing unclear rules, undefined processes and delays in decision-making. This risks creating additional red tape without improving outcomes for children.

AbSec and ALS support accountability and transparency in all aspects of child protection. But accountability must be balanced with enabling ACCOs to deliver responsive, culturally informed services. This contrasts with the principles of genuine partnership and works against the intent of prioritisation of funding to ACCOs.

## ABORIGINAL AUTHORITY FOR RESTORING CHILDREN

The NSW Minister for Families, Communities and Disability Services has committed to setting up a restoration taskforce to support the safe return of Aboriginal and Torres Strait Islander children to their families. This 'taskforce' is referred to, within the sector and community, as the Aboriginal Authority for Restoring Children (AARC), as proposed by Wiradjuri scholar, Associate Professor and Minister's Aboriginal Partnership Group member Dr B J Newton. The NSW Minister for Families, Communities and Disability Services has not yet acknowledged support for the AARC. This initiative aims to increase the number of Aboriginal and Torres Strait Islander children in long-

term care orders who are restored to their families. Dr Newton, alongside AbSec and several ACCOs across NSW, and DCJ, are working through the key elements of this proposal, and funding is being negotiated with AbSec to progress the discovery phase.



## NORTHERN TERRITORY

### Government input - provided by the Department of Children and Families

#### UNIVERSAL AND TARGETED SERVICES

In 2023-24, the NT Government has continued significant investment in universal and targeted children and family services. As reported in the Productivity Commission's Report on Government Services, over \$280 million was directed across protective intervention, care services, intensive family support, including Family Support Services delivered by ACCOs and Aboriginal-led Child and Family Centres. This represents an increase from over \$250 million investment in 2022-23.

The NT also invests in a broad range of services designed to reduce the risk of families coming into contact with the child protection system. These include:

- domestic, family and sexual violence (DFSV) prevention and response measures, such as operating women's safe houses through ACCOs or Aboriginal staff, providing primary prevention grants to remote Aboriginal communities and funding men's behaviour change programs,
- housing programs aimed at easing overcrowding and cutting wait times, supported by a major capital works program and tenancy management practices aligned with the Housing for Health framework and its nine Healthy Living practices to improve health and wellbeing in the home,
- health programs focused on local capacity building, including the establishment of Aboriginal-led, community-based specialist sexual assault services and delivery of CALM Kids training in remote and regional communities by First Nations consultants, and
- education programs that focus on early learning and parental support, including the Families as First Teachers program, the Learning with Families initiative, and the Strong Young Parents program.

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

## PARTICIPATION, CONTROL, AND SELF-DETERMINATION

Nine Aboriginal-led Child and Family Centres (CFCs) have been established or are in progress as at 30 June 2024. These Centres are designed and governed by local ACCOs through Local Decision-Making (LDM) processes. CFCs are supported by the Child and Family Community Fund, providing up to \$260,000 annually per centre for locally driven initiatives that strengthen outcomes for children aged 0-5 and their families.

In 2023, the Aboriginal Carer Services (ACS) underwent its first formal evaluation, which confirmed its role in strengthening culturally safe placements and ACCO leadership. The evaluation assessed outcomes for Aboriginal children and carers, identified enablers and barriers, and made 12 recommendations to strengthen cultural safety, ACCO leadership and program oversight. In response, DCF has developed an Implementation Plan that embeds these findings, with the ACS Community of Practice stepping up as the key partnership forum to refine the model, supporting continuous improvement, and ensuring community voice drives program delivery and monitoring.

The Care and Protection of Children Amendment Act 2023 inserted Part 5.1B – the Child Wellbeing and Safety Partnership Framework in legislation, providing statutory foundations for partnerships between government agencies, ACCOs, and communities to identify risks and co-design responses for children.

## CULTURALLY SAFE AND RESPONSIVE SYSTEMS

DCF is implementing the Aboriginal Cultural Security Framework, with training to support staff. All practitioners must complete induction training, which includes:

- face-to-face cross-cultural awareness, including the five core elements of the Child Placement Principle,
- an online, self-paced course on cross-cultural awareness; 321 NT Government employees completed this learning in 2023-24, 101 of these employees remain with the Department of Children and Families (DCF), and the others work across other NT Government agencies,
- all training for authorisation as a child protection practitioner includes specific information on working with Aboriginal families throughout the training, including the Child Placement Principle; in 2023-24, 73 child protection staff completed this training.

## ACCOUNTABILITY

The Children's Commissioner Amendment Act 2024 now requires, where practicable, that the Commissioner be an Aboriginal person. The NT continues to be active

in national governance arrangements through Closing the Gap and Safe and Supported. The Tripartite Forum reports to the Northern Territory Executive Council on Aboriginal Affairs under Closing the Gap governance.

## CIRCUIT BREAKER PROGRAM

In December 2024, the Circuit Breaker Program was launched in Alice Springs and later expanded to Katherine and Darwin. It is a voluntary, early intervention program designed to help children and young people (10 to 17 years of age) and their families to address challenges before escalation to Youth Justice or a statutory Child Protection response.

The program is delivered by Family and Youth Support (FAYS) staff who:

- through patrols, FAYS staff engage with children and young people. After ensuring the child or young person's safety, FAYS engage with primary caregivers at the earliest opportunity and convene a Family Responsibility Agreement (FRA) meeting,
- FRAs set out the actions and interventions to address the risk and safety, including engagement in education, training and referrals to ACCOs. The child or young person's engagement with education and training will be reviewed by the Department of Education and Training. The Department of Health will provide an assessment of the need for health-related interventions for both the caregiver, parent and child or young person,
- FRAs are voluntary to encourage and engage family participation; the successful completion of FRAs results in the family being exited from the program.

Circuit Breaker includes 'Safe Places' for children, with training emphasising immediate family engagement; a specific training plan has been delivered to staff, including a Cultural Security Framework, collaboration with Aboriginal Community Workers, and use of the Signs of Success framework for future planning to keep children out of the child protection system.

## FAMILY SUPPORT SERVICES

In 2023-24, investment in Family Support Services increased across 44 locations, delivered by 13 ACCOs and two non-Aboriginal organisations. The program is accessible to all families, regardless of engagement with the child protection system. FSS providers support families to:

- connect with specialist services,
- provide practical in-home support and build parenting skills,
- work with pregnant mothers,
- help reunify children who have been in care.

In 2023-24, 366 Aboriginal children commenced FSS, including 175 through Strengthening Families and 107 through On the Right Track. Outcomes included:

- 52.1% of Strengthening Families cases closed with goals achieved,
- average duration of active support in family, youth and post-reunification cases was 260 days, reflecting longer-term and stabilising support.

In 2025-26, the NT Government is investing \$44.5 million into Family Support Services, providing targeted family support to families and children with high levels of vulnerability.

### CHILD AND FAMILY CENTRES

As at 30 June 2024, nine Aboriginal-led CFCs have been established, with two additional CFCs to be established in Arlparra and Borroloola under the 2025-26 budget. CFCs are targeted to support Aboriginal children aged 0-5 years and their families; however, they also strive to support the wider community regardless of age. CFCs are designed and governed by local ACCOs through robust LDM processes. No 2 centres are alike, as they are responsive to their community needs and priorities. Each CFC can access up to \$260,000 per centre per year for locally driven initiatives that enhance outcomes for children and their families.

### REMOTE CHILD AND FAMILY SAFETY PROGRAM

The Remote Child and Family Safety Program funds a remote-based workforce that engages proactively with families to identify and support the resolution of child safety and wellbeing concerns. From 1 January 2023 to 29 February 2024, Aboriginal people accounted for 66 per cent of the hours worked under the program.

### DFSV PREVENTION

In 2023-24, the NT continued significant investment in DFSV, including an additional \$20 million over 2 years announced in Budget 2023 to implement Action Plan 2 of the DFSV Reduction Framework, alongside ongoing funding for frontline services. A further \$8.4 million was committed under the Rebuilding our Economy: Investing in Frontline Specialist Domestic, Family and Sexual Violence Services program, jointly funded by the NT Government (\$7.58 million) and the Australian Government (\$820,000), as part of the National Partnership Agreement. This funding supports:

- women's safe houses providing crisis accommodation and case management,
- specialist legal services assisting victim-survivors with Domestic Violence Orders (DVOs) and navigating the justice system,

- community-led and culturally safe initiatives tailored to Aboriginal families,
- practical safety upgrades such as locks, security screens, and emergency assistance.

Funding recipients for 2024-25 included Aboriginal organisations such as the Darwin Aboriginal and Torres Strait Islander Women's Shelter Indigenous Corporation, Galiwinku Women Space Aboriginal Corporation, Tangentyere Council Aboriginal Corporation and Mabunji Aboriginal Resource Indigenous Corporation, among others, strengthening Aboriginal-led, place-based responses. Each funded organisation received an additional \$30,000 to support implementation of the Domestic and Family Violence (DFV) Risk Assessment and Management Framework (RAMF), embedding a consistent Territory-wide approach to risk management.

The NT has established a DFSV Aboriginal Advisory Board to advise the Minister for DFSV Prevention on policies and services that impact Aboriginal people. As of 30 June 2023, 980 NT workers have been trained in the DFV RAMF. NT Health is committed to improving DFSV responses in NT hospitals and health settings, including through:

- implementing the RAMF within NT Health,
- implementing the NT Health DFV Clinical Guidelines,
- improving capability at the Ruby Gaea Darwin Centre Against Sexual Violence,
- establishing Aboriginal-led community-based specialist sexual assault service(s) to build local and regional capacity, and commission new culturally designed services including cultural healers, social emotional wellbeing workforce, counsellors and other trauma-based experts.

### HOUSING AND HOMELESSNESS PROGRAMS

In March 2024, the NT and Australian Governments announced a ten-year, \$4 billion Remote Housing investment, targeting up to 2,700 homes and aiming to halve overcrowding in remote communities. This builds on earlier housing programs and directly addresses a major driver of child protection involvement.

In June 2025, the NT launched the NT Homelessness Strategy 2025-2030, which prioritises early intervention, transitional planning for young people leaving OOHC, and greater ACCO participation in tenancy support services. Strategic Priorities include early intervention and prevention for people experiencing or at risk of homelessness, which includes the following key actions:

- implementing transitional planning from OOHC to identify and address gaps for young people leaving care to prevent and reduce young people exiting into homelessness,

- increase participation of ACCOs in the delivery of culturally led pre-tenancy and place-based tenancy sustainability services to support families to sustain housing, maintain and develop community supports and networks,
- establishment of Lived Experience Advisory Group to assist in identifying gaps and service barriers, including representation of Aboriginal people, young people and people in care or exiting OOHC,
- deliver culturally safe services that focus on people experiencing homelessness,
- strengthen the homelessness system.

From 1 July 2025, new Specialist Homelessness Services across the NT commenced, with a significant increase in investment in the sector to deliver more services that reflect the new strategic priorities and are supported by Program Guidelines that specifically identify OOHC leavers, young people exiting youth justice services, young families and families at risk of homelessness as key target groups.

## Community voices – provided by Aboriginal Peak Organisations NT

*(representing Aboriginal Medical Service Alliance Northern Territory, North Australian Aboriginal Justice Agency, Central Land Council, Northern Land Council, Tiwi Land Council, Anindilyakwa Land Council, Aboriginal Housing NT and the Northern Territory Indigenous Business Network).*

The community sector has serious concerns about the accuracy of the information provided by the Northern Territory Government. In the Aboriginal Peak Organisations Northern Territory's (APO NT) view, the data presented is not an accurate reflection of the reality of the child protection system in the NT. It is also the sector's experience that many of the programs listed are not achieving their stated purpose and outcomes.

The Northern Territory Aboriginal and community-controlled sector speaks with one voice: the child protection system remains a system of intervention, not prevention.

While the Northern Territory Government's 2025 Family Matters and Child Placement Principle response presents an image of progress, our shared experience tells a different story. Aboriginal and Torres Strait families continue to face disempowerment, structural inequity and service systems that work on them, not with them.

Despite repeated commitments, prevention remains government-centred and misrepresented. Programs such as Circuit Breaker are labelled 'prevention', yet operate as youth-justice interventions delivered by

a statutory agency, not Aboriginal and Torres Strait Islander organisations. This framing distorts the reality that true prevention begins with family, culture, and community. It happens through housing security, healing programs, early childhood supports, and culturally driven family services, areas where ACCOs should be leading, not sidelined. The NT Government's housing and homelessness strategies are welcome, but their outcomes are yet to reach the families most at risk.

The sector is clear: prevention cannot exist inside a statutory department. It must be community-driven, sustained, and grounded in culture. Short-term programs or departmental pilots will never replace Aboriginal-led design and control.

The NT Government continues to fail in establishing Aboriginal Family-Led Decision-Making. Instead, it substitutes 'network meetings' for genuine family decision-making. This is not empowerment; it is consultation masquerading as participation. Families must have the right resources to lead decisions about their children's safety and care. The success of the Northern Territory Indigenous Family Legal Support Service demonstrates what works: culturally safe, legally supported family-led decision-making that supports Aboriginal and Torres Strait Islander families from investigation through to reunification. The government must invest in expanding this approach statewide.

Funding inequity remains one of the most significant barriers to progress. While government celebrates 'partnership', only a small fraction of total child and family funding reaches ACCOs. The community sector continues to do more with less, despite carrying the expertise, trust and cultural legitimacy to deliver change. Partnerships without authority or equitable resourcing are tokenistic. To realise the goals of the Child Placement Principle, Aboriginal and Torres Strait Islander organisations must be trusted to lead, not contracted to deliver government agendas.

Cultural connection outcomes for children remain deeply concerning. The government's own data shows that one-third of Aboriginal children in care are separated from siblings, and only a small percentage move into kinship care when placements change. The Aboriginal Carer Services program and kinship initiatives are positive starts, but they remain under-resourced and inconsistent. Families report long delays in assessments, restrictive eligibility criteria and insufficient support once approved. These practices fracture family and cultural bonds, breaching the intent of the Placement principle and causing lasting harm to children.

Cultural safety must go beyond training modules; it requires systemic transformation.

Case practice must embed cultural authority, giving Aboriginal and Torres Strait Islander voices power to challenge and guide decisions at every level. The NT Government must establish mechanisms for independent Aboriginal and Torres Strait Islander oversight to monitor compliance with the five elements of the Child Placement Principle and report transparently on progress.

The discontinuation of the 10-Year Generational Strategy for Children and Families represents a serious loss of long-term accountability. This strategy provided a mechanism for shared governance between government and the Aboriginal sector. Its withdrawal undermines coordinated reform and sends a message that Aboriginal and Torres Strait Islander voices can be dismissed, once again. The community sector calls for its reinstatement or replacement with a new, co-designed framework that enshrines Aboriginal and Torres Strait Islander governance in perpetuity.

Our sector is not without solutions. Across the NT, Aboriginal and Torres Strait Islander-led initiatives like Youth Voice, which amplifies young people's leadership and advocacy, show what is possible when communities are trusted to lead. These programs demonstrate hope, resilience and innovation; proof that progress comes from within community, not from bureaucratic control.

The message from the sector is united and unequivocal: the NT Government must act with honesty, courage and partnership. It must transfer power, share resources and embed Aboriginal and Torres Strait Islander decision-making in every level of child and family policy.

Accountability cannot be measured in reports or frameworks; it is measured in the safety, strength and cultural identity of our children.

If the Territory is serious about keeping Aboriginal and Torres Strait Islander children safe, it must stop doing things to us and start doing things with us. Our communities are ready.

## Commissioner input – Northern Territory Children's Commissioner, Shahleena Musk

The latest Closing the Gap report reveals that only four out of 19 targets are on track to be met, with the NT being the worst-performing jurisdiction in the country. The worsening outcomes in terms of incarceration rates, children in OOHC and suicide are of deep concern to many who live and work in the NT.

It is crucial that Australian Governments back in their commitments and focus on efforts to support and strengthen Aboriginal and Torres Strait Islander children, families, communities and organisations. As we approach the sixth year of the National Agreement on Closing the Gap, it is time the NT stepped up. The lack of consultation, inadequate resourcing and failure

to partner with ACCOs who are best placed to advise on and implement solutions that are relevant, targeted and culturally appropriate is incredibly disappointing. This must change.

As at 30 June 2024, 786 Aboriginal children were living in OOHC in the NT (89 per cent of all children in OOHC). This is a reduction of just five children from the previous year. Formerly, the Department of Territory Families, Housing and Communities held responsibility for child protection. Following the Machinery of Government changes in September 2024, responsibility shifted to the restructured Department of Children and Families (DCF). It is hoped that streamlining the responsibilities of this agency will enable a concerted focus on progressing commitments to transform child protection services.

The Office of the Children's Commissioner (OCC) remains deeply concerned about DCF's inability to provide robust and comprehensive data to understand compliance with the Child Placement Principle and meaningfully report on outcomes of Government investment. High-quality, transparent data is essential to fully understand efforts to address the over-representation of Aboriginal and Torres Strait Islander children in the NT's child protection system.

The OCC also has ongoing concerns regarding the currency and quality of care plans for Aboriginal and Torres Strait Islander children in care, which must include cultural support components.

Despite a commitment to phase out its use, as at 30 June 2024, purchased home-based care (PHBC) accounted for 45 per cent of all OOHC placements. PHBC received \$34.9 million from the NT Government, excessively more than kinship services at \$4.1 million. This funding disparity is in conflict with the government's commitments under Safe and Supported. As at 30 June 2024, 42 per cent of children were placed with foster carers and only 6 per cent of children were placed with family and significant others (inclusive of kinship care). Aboriginal and Torres Strait Islander carers made up 85 per cent of family carers, 28 per cent of foster carers and 0 per cent of purchased home-based carers.

In 2023-24, 56 per cent of children aged 15-17 in OOHC did not have a current care plan, which should reflect leaving care planning. The OCC continues to hear that the absence of adequate, timely and meaningful leaving care planning is of serious concern to Aboriginal and Torres Strait Islander young people in care.

The intersection and cross-over of Aboriginal and Torres Strait Islander children known to the child protection system with the youth justice system continues to be of significant concern in the NT. The OCC's recent report looking at the needs and vulnerabilities of children aged 10-13 years in youth detention 2022-23 revealed that all

children subject to the audit had current and previous child protection experiences. The report showed a clear link between incarceration and failure by relevant government agencies to address social and economic disadvantage within families and address Aboriginal and Torres Strait Islander children's health, disability and trauma needs. Essentially, far too many vulnerable Aboriginal and Torres Strait Islander children were being criminalised as a result of a failed service system.

Investing in early and targeted support services is an opportunity to make a transformational change to close the gap. In realising the outcomes of Safe and Supported and the first Aboriginal and Torres Strait Islander Action plan, there must be a greater focus on co-designed and culturally strengthening initiatives that build the capacity of the Aboriginal and Torres Strait Islander workforce, enable transition of services to ACCOs and transition away from a crisis-driven system. This includes greater investment in prevention and early intervention services, expansions of the Aboriginal Carer Service Program, establishment of Aboriginal Family-Led Decision-Making mechanisms and embedding Active Efforts provisions.

The OCC advocates the need for a differential response to Aboriginal children and families dealing with hardship and redirection of resources to the front end of the system to support and deliver effective services to Aboriginal and Torres Strait Islander children and families.



## Government input – provided by the Department of Families, Seniors, Disability Services and Child Safety of Queensland

Queensland Government continues to work in genuine partnership with the Queensland First Children and Families Board (QFCFB), Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP), Aboriginal and Torres Strait Islander community-controlled organisations (ATSICCOs) and partner agencies to ensure Aboriginal and Torres Strait Islander families can access the support they need to care for their children safely at home.

Queensland is committed to addressing the disproportionate representation of Aboriginal and Torres Strait Islander children and families in the Queensland

child protection system and closing the gap in life outcomes for Aboriginal and Torres Strait Islander children and families.

Key actions to achieve this include:

- Expanding access to prevention and early intervention services through:
  - 36 Aboriginal and Torres Strait Islander Family Wellbeing Services, which build families' capacity to care for and nurture their children; and
  - Family Participation Program that is culturally safe and empowers families to participate in decision-making about their children across the key decision points of the child protection system.
- The introduction and expansion of the First Nations Intake Officer Program to provide a small team in each child safety regional intake service to provide culturally responsive intake services and earlier support to families to safely care for their children and prevent ongoing statutory intervention.
- Implementing delegated authority statewide with a total of 19 service responses, delivered by 14 ATSICCOs in partnership with 25 child safety service centres across Queensland.
- Continued commitment to the five elements of the Child Placement Principle to the standard of active efforts across the child protection system.
- Co-designing and implementing a new kinship care model, Family Caring for Family, with the ATSICCO sector.
- Reducing barriers to kinship care by:
  - removing Blue Card requirements for Kin carers and adult household members, and
  - developing a fit-for-purpose kinship care screening framework that is culturally safe and includes appropriate safeguards.
- Partnering with Aboriginal and Torres Strait Islander peoples through mechanisms such as the internal First Nations Council and QFCFB to identify solutions to issues and decisions affecting and impacting the lives of Aboriginal and Torres Strait Islander children and families.
- Developing better models of care to meet children's needs, including Aboriginal and Torres Strait Islander children, is central to the delivery of the Queensland Government's commitments to improve residential care for all children under Safer Children, Safer Communities.
- Announced in May 2025, the Commission of Inquiry into the Child Safety System will make recommendations that impact Aboriginal and Torres Strait Islander children and young people involved in the child safety system.

## Community voices – provided by QATSICPP and QATSICPP Family Matters Leadership Group

Queensland Aboriginal and Torres Strait Islander leaders in the community-controlled child and family sector have mixed views on progress in reducing over-representation of Aboriginal and Torres Strait Islander children in OOHC in Queensland in 2024–2025. Our leaders felt that, compared with a decade ago, there had been some positive gains, such as a growth in the role of community-controlled organisations in service provision, and legislative changes such as Delegated Authority, which have resulted in Aboriginal and Torres Strait Islander people and organisations having greater participation in, and control over, decisions that affect their children. However, whilst 2024–25 has seen pockets of promising progress, major challenges continue to stall progress towards the goal of Queensland's *Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families 2017–2037* (Our Way) to eliminate the disproportionate representation of Aboriginal and Torres Strait Islander children in OOHC by 2037.

Since its co-development and launch in 2017 as a partnership between Family Matters Queensland leaders and the Queensland Government, the Our Way strategy has served as a catalyst for significant reform efforts. This approach has driven changes across key areas, including policy, legislation, service delivery and financial investment, with a focus on improving outcomes for Aboriginal and Torres Strait Islander children and families. Evaluations undertaken to assess the strategy's progress have highlighted substantial achievements in developing a system capable of reducing the number of children entering OOHC. These successes demonstrate the positive influence of the strategy in shaping a more responsive and culturally informed framework.

Despite these advances, the implementation of the Our Way strategy has encountered persistent challenges. Notably, limited engagement from essential government departments and ambiguous lines of accountability have contributed to delays and hindered the full realisation of reform objectives. These issues underscore the need for clear direction and coordinated effort across all levels of government.

Family Matters Queensland leaders remain committed to collaborating with the Queensland Government to advance the goals of the Our Way strategy. They recognise that achieving system reform to address the over-representation of Aboriginal and Torres Strait Islander children in OOHC is a priority that requires shared responsibility and ongoing partnership across governments.

Since the last Family Matters Report in 2024, Delegated Authority has expanded significantly, now encompassing 19 service responses across 25 child safety service centres delivered by 14 ATSICCOs.

The increase of 310 per cent since 2022 highlights the steadfast commitment and drive within Aboriginal and Torres Strait Islander communities to take the lead in making decisions that affect their children. The figures reflect how community leadership and involvement are strengthening efforts to create better outcomes for Aboriginal and Torres Strait Islander children and families, ensuring their voices are central in shaping the future of their communities.

However, concerns remain. Many organisations are under-resourced to manage the demands of programs such as the Family Participation Program (FPP) and Family Wellbeing Services (FWS), and several member organisations are struggling to meet the rising referral demand generated through the new Enhanced Intake Assessment Approach. Practice also varies widely between Departmental regions, with some areas reporting strong partnerships with ATSICCOs, while other services report challenges associated with advocating for children or accessing critical information with their local Department of Child Safety teams. Leaders stressed that Delegated Authority cannot rely on goodwill or individual relationships and that it is not the 'silver bullet' to solving over-representation. To build on the success, to date, there is a need to have statewide directives, consistent performance measures, transparent information-sharing and sustained funding.

Investment in Aboriginal and Torres Strait Islander community-controlled service delivery has grown by 65 per cent since 2023, but this still accounts for less than two per cent of Queensland's total OOHC care budget. Most funding continues to flow into residential care, including to commercial and for-profit providers, some of which falsely position themselves as 'community controlled'. Leaders repeated their ongoing calls for resources invested in the community-controlled sector to be proportionate to the scale of Aboriginal and Torres Strait Islander children's involvement in the system, to be able to drive change effectively.

FWS continue to play a critical role in prevention and early intervention. In 2023–24, these services supported 5,135 families to build their own parenting capacity. Almost half of these families presented with housing and inability to meet the basic needs of their children as the primary child protection concern, which further highlighted the impacts of poverty, overcrowding and housing stress as key drivers of children into child protection systems. However, rising demand has not been matched with increased funding, leaving services stretched and with a workforce under significant pressure.

Aboriginal and Torres Strait Islander leaders have called for expanded and sustained investment in both FWS and the FPP to address over-representation and get Queensland back on track with Closing the Gap and Our Way goals. Leaders also noted that outcomes are heavily shaped by the willingness of regional departmental staff to engage in partnership with some regions reporting innovation, while in others, ATSICCOs are told to 'stay in their lane', leaving families without the support they need.

Kinship care now accounts for 58 per cent of Aboriginal and Torres Strait Islander placements, but the use of residential care remains high and continues to grow. Sector leaders expressed frustration that government continues to pour resources into short-term residential facilities instead of investing in family preservation and reunification.

Family Matters leaders called for direct government investment in safe and stable supported housing models to allow children to stay with family, which would be a more effective use of funds than expanding residential care. Examples of such models exist on the Sunshine Coast, such as the Babies Gunya program, delivered through REFOCUS, that provides holistic wraparound support that enables at-risk mothers and infants to stay safely together and has been instrumental in preventing Aboriginal and Torres Strait Islander removals at birth.

In other regions, residential care funding has been re-purposed to support whole families to remain connected while receiving intensive cultural support. Leaders also noted that Kurlbingui Youth and Family Development and other ATSICCOs have been undertaking kin mapping for many years as a core part of their service delivery model. Until recently, this work was carried out without any departmental funding, with recognition and resourcing only now beginning to flow to these organisations. These initiatives demonstrate what is possible when investment is directed towards keeping children within family, culture and community. Yet without statewide directives, accountability and enhanced resourcing, such successes remain isolated.

Accountability and access to data remain serious system limitations as Aboriginal and Torres Strait Islander organisations report being unable to access real-time data about clients. Information required to provide high-quality support and care for children and families is inconsistently provided to community-controlled organisations by the Department, which is particularly challenging.

In terms of system accountability, Family Matters Queensland expressed frustration that legislated changes to Queensland's Working with Children Check system, passed by Queensland Parliament in September 2024, that introduce a more suitable child safe check for kinship carers, have not yet been implemented. This reform is crucial to reducing

the rising numbers of Aboriginal and Torres Strait Islander children going into residential care, through supporting more extended families to take on caring responsibilities for children who are not able to be cared for by their birth parents.

Despite these challenges, there is cautious optimism amongst the Family Matters Queensland leaders. The expansion of Delegated Authority, the increase in community-controlled services and the success of Family Wellbeing Programs demonstrate that reform is possible when Aboriginal and Torres Strait Islander leadership is at the centre.

Transformative change for Aboriginal and Torres Strait Islander children and families within the child protection system relies on two key mechanisms to ensure families can invoke change. Firstly, to proportionally and adequately resource community-controlled organisations to deliver programs that have culture, connection and family at the centre, and, secondly, to embed consistent regional accountability processes to drive reform. When Aboriginal and Torres Strait Islander leadership is supported and funded, children are more likely to stay safe with family and culture. Achieving the vision of Our Way will take courage, partnership, and a sustained commitment to invest in what works.

### **Commissioner input – Queensland Aboriginal and Torres Strait Islander Children's Commissioner, Natalie Lewis**

The safety and wellbeing of our children is the collective point of agreement; it is our collective point of truth and the most important measure of accountability. The Family Matters Roadmap and Building Blocks retain a striking validity in this moment in Queensland. After seeing rates of removal stabilise between 2017 and 2020, the past five years have recorded year-on-year increases. The failure to sustain the early progress of Our Way is not a legislative or strategic policy problem. It is not simply a resourcing problem. I think it is a product of complacency. I think it is a problem of ill-conceived and inconsistent implementation. I care little about the branding or title of any new strategy or reform roadmap, but I care deeply that we act with a clarity of purpose and with the urgency that is demanded in this moment. Eliminating the disproportionate representation of our children in the child protection system and keeping our children safe and strong in family and culture becomes possible through action anchored in the Family Matters Building Blocks.

The Our Way generational strategy, committed to in 2017, was established firmly upon the Family Matters Building Blocks. We saw significant legislative reform incorporating the five elements of the Child Placement Principle, the inclusion of self-determination, the introduction of delegated authority and active efforts as the new legislative standard for promoting and

protecting the rights of our children. We also confirmed the enduring nature of the paramount principle, asserting that decisions made and actions taken must be in the best interests of a child, not just at a point in time, but for their future.

2024-25 has been a time of significant shifts in Queensland. It is difficult to find an area of public policy or public life that has not been exposed to acts of erasure of culture, of First Nations leadership and commitments. In Queensland, there are more Aboriginal and Torres Strait Islander children in state care today than at any time in history. A lost sense of urgency and surrender to the mindset of incrementalism.

I think that as the footprint and the illusion of influence grew that our core obligations to our children and families, our collective purpose and primary responsibility started to drift. What had been our unifying force, our superpower, was being diminished by agendas, egos and amnesia – about the true meaning of community control. This cannot continue. This is that point in time where we must ask ourselves (and answer honestly) whose needs are truly being met?

Family Matters contains the building blocks for success. I know that to be true because in every Queensland success story, buried in the statistical fog, there is a foundation of equitable access to quality, culturally safe, universal and targeted services, the participation and self-determination of mob in decisions that affect their children, operating within a culturally safe legislative and practice framework with a demonstrated accountability to Aboriginal and Torres Strait Islander people. Family Matters *matters* more in Queensland, now more than ever.

DCP continues to lead the South Australian public sector in Aboriginal-led service delivery and investment. In 2024-25, DCP funded 34 Aboriginal organisations, including ACCOs, Aboriginal and Torres Strait Islander community-controlled health organisations (ACCHOs) and Aboriginal businesses, to the value of nearly \$50 million. Work is now underway to co-design a dedicated ACCO Procurement and Investment Strategy, which will grow the service delivery footprint of the sector and support readiness to assume new statutory functions, progressing self-determination and delegated authority.

Sustained reform and targeted investment are already producing encouraging outcomes. The growth rate of Aboriginal children in care has slowed from 13.1 per cent in 2019-20 to 0 per cent in 2023-24—the first time it has sat below the rate for all children. South Australia also leads the nation in exits from long-term care, with 95.6% of Aboriginal children exiting care in 2022-23 not returning within 12 months. A \$13.4 million investment to expand FGCs has been central to this success. Legislative reforms now require FGCs in certain circumstances for Aboriginal children, including those already in care, with evidence showing that 90.4 per cent of participating children remained safely with family as at 30 June 2024.

Kinship care placements are also increasing, with 55.9 per cent of Aboriginal children placed with kin at 30 June 2024 (*up from 53.6 per cent in 2019-20*). Dedicated initiatives such as Finding Families and the Aboriginal-led Taikurtirna Warri-apinthi Procedure are strengthening family and cultural connections.

Partnership with Wakwakurna Kanyini, the new peak body for Aboriginal children and young people in South Australia, is further embedding community voice and leadership. Funded at \$3.982 million over five years, the Peak is a key member of the Child Protection Subcommittee under the South Australian Partnership Committee on Closing the Gap, ensuring Aboriginal leadership directly informs reform priorities and solutions.

The recently enacted *Children and Young People (Safety and Support) Act 2025 (SA)* (the Act) represents a landmark step forward. The Act strengthens the Child Placement Principle, embeds family-led decision-making, enables delegation of legislative authority to Recognised Aboriginal Entities, and expands requirements for FGC.

Embedding self-determination remains central. Investments in Principal Aboriginal Consultants provide cultural advocacy and oversight in decision-making, with a new community of practice supporting cultural leadership across DCP. Collaboration with ACCOs, community leaders and Aboriginal health networks is strengthening culturally responsive approaches to prevention, reunification and active efforts to keep children with family.



## SOUTH AUSTRALIA

### Government input – provided by the Department of Child Protection and the Department of Human Services

#### DEPARTMENT OF CHILD PROTECTION

Department of Child Protection (DCP) is driving an ambitious reform agenda to address the ongoing over-representation of Aboriginal and Torres Strait Islander children in the child protection system, in line with Target 12 of Closing the Gap.

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

DCP also recognises the importance of cultural identity for children already in care. Initiatives such as the Yang Inti Ngypun cultural program and cultural camps have supported over 50 young people to strengthen resilience, identity and connection. Cultural Life Story Books further ensure children retain links to family, community and cultural heritage.

While significant progress has been made, DCP acknowledges that more must be done. Through sustained reform, Aboriginal-led partnerships, and a focus on self-determination, DCP is committed to reducing over-representation and ensuring Aboriginal children and families are empowered to lead decisions for their futures.

## DEPARTMENT OF HUMAN SERVICES

The Department of Human Services (DHS) continues collaborative efforts to build a new cohesive system of child and family support services to keep children safe and well in their family, community and culture. The Child and Family Support System (CFSS) has been specifically designed for children and families who are at risk of deepening involvement with the statutory child protection system.

CFSS services and support are delivered by government through the DHS's Safer Family Services, and through contracts with non-government organisations, ACCOs and ACCHOs.

DHS is committed to active efforts to implement the Child Placement Principle across the CFSS. Through allyship, co-design, cultural accountability and partnerships with ACCOs, DHS aims to contribute to systemic changes that respect and strengthen Aboriginal voices and leadership.

Some key initiatives that continue to strengthen the delivery of CFSS services to be culturally safe and responsive include:

- DHS continues to enhance referral pathways to ensure children and families are assisted to reach services that are well matched to their needs. This includes piloting a new self-referral pathway to Intensive Family Services, with an initial focus on Aboriginal families seeking help. This responds to Recommendation 9 of the Holding onto Our Future report by the South Australian Commissioner for Aboriginal Children and Young People.
- DHS is developing and testing a new commissioning and procurement approach (termed a 'Cooperative Dialogue Approach') to support the implementation of a new family support service for Aboriginal children and families. The new approach seeks to strengthen the role and voice of ACCOs and ACCHOs in the commissioning and contracting process, whilst still meeting DHS's legislative obligations.

It directly involves ACCOs and ACCHOs in a joint decision-making process with DHS to identify community needs and priorities, develop a high-quality, holistic and culturally safe service model and determine how the ACCOs and ACCHOs might work with each other to deliver the service, whilst maintaining requirements of relevant procurement policies. It is anticipated that this model may become an important tool in procuring future ACCO-designed and led early intervention services.

- DHS is developing an Aboriginal Cultural Governance and Accountability Framework, which aims to embed cultural governance mechanisms across CFSS that support Aboriginal self-determination and accountability across the service system for the families and communities they serve.
- The DHS Safer Family Services Aboriginal Cultural Practice Framework (Framework) was developed using an Aboriginal-led process and was released in early 2023. This provides guidance for Intensive Family Service practitioners and supervisors on culturally safe and responsive practice. It is designed to support self-determination, Aboriginal Family-Led Decision-Making and guide the allyship and accountability of staff. Embedding the Child Placement Principle is a core practice capability in this Framework. In 2023-24, the implementation of this Framework continued to be embedded through the creation of new positions within DHS Safer Family Services to ensure Aboriginal cultural governance of practice. In 2024-25, the creation of a new position titled Aboriginal Learning and Development Officer will further bring together cultural and clinical practice.
- DHS developed a new e-learning training module on Child Placement Principle (based on SNAICC resources), which was available for CFSS practitioners in late 2023 and is a mandatory induction module for DHS Safer Family Services practitioners.

The development of the CFSS is driven by a 'learning system approach' that embeds a holistic approach to research and evidence development. This means there is a commitment to incorporating population data science, practice-informed evidence, lived experience evidence from children, young people and families, cultural knowledge and leadership and system observation. Co-design processes that bring together these different knowledge sources have been integral to the development of the CFSS. In particular, the CFSS Lived Experience Network continues to be an integral part of the continuous evidence and learning that shapes the system, including a new project underway to explore how a peer workforce in the CFSS could complement and connect with the existing workforce.

## Community voices – provided by Wakwakurna Kanyini

Wakwakurna Kanyini is the peak body for Aboriginal children and families in South Australia. The organisation was formed through a statewide community-led design process, involving Aboriginal representatives from the Aboriginal communities and the child and family services sectors supported by SNAICC, after many years where the South Australian Aboriginal Elders and community have tirelessly fought and advocated for a peak body for Aboriginal children and families.

Wakwakurna is a Kaurna word for children, and Kanyini is a Pitjantjatjara word meaning interconnectedness, nurturing and support. The name reflects the commitment to holding on to our children, especially in response to high rates of child removals.

While Wakwakurna Kanyini is still in an establishment phase, its key focus areas include the following:

1. Cultural authority and advocacy by upholding the rights of Aboriginal children to grow strong in culture and identity and promoting community-led solutions.
2. Reducing child removals by addressing disproportionate rates in OOHC and advocating for early intervention and family support services; to reduce the over-representation of Aboriginal children in OOHC and youth detention by advocating for culturally safe and community-driven solutions.
3. Youth voice and participation by amplifying the voices of Aboriginal and Torres Strait Islander young people and their needs.
4. Supporting and strengthening the Aboriginal Community-Controlled sector by delivering culturally safe services that support the building of capacity for self-determination.
5. Collaboration and systems change by partnering with government and non-government organisations.

Wakwakurna Kanyini is strongly agitating for policy and legislative reform to incorporate cultural alignment and culturally sensitive and responsive services, and holding government and the non-government sector accountable to operate and deliver policies and services that align with recommendations and commitments of key inquiry reports on the Child Placement Principle, family violence, Safe and Supported and the National Agreement on Closing the Gap.

Wakwakurna Kanyini is actively working to:

- move beyond tokenism by embedding self-determination at the core of child and family services,

- agitate for legislative and policy reform that ensures services are culturally aligned, sensitive, and responsive, reflecting the lived experiences and needs of Aboriginal communities, and
- hold government and non-government sectors accountable by aligning service delivery with key national and state-level frameworks and reports, including:
  - Holding on to Our Future – a landmark inquiry led by the Children and Young People's Commissioner, April Lawrie, which found systemic failures in applying the Child Placement Principle and made 32 recommendations to reduce child removals,
  - Safe and Supported, which includes specific action plans for Aboriginal and Torres Strait Islander children, aiming to reduce over-representation in OOHC by 45 per cent by 2031, and
  - Closing the Gap Targets – particularly Target 12, which focuses on reducing the rate of Aboriginal and Torres Strait Islander children in OOHC and ensuring culturally safe placements and support plans.

Wakwakurna Kanyini is also prioritising youth voice and participation, ensuring Aboriginal young people are meaningfully involved in shaping services and decisions, and strengthening the Aboriginal Community-Controlled sector, to build capacity for culturally safe, community-led service delivery.

## Commissioner input – SA Commissioner for Aboriginal Children and Young People, Dale Agius

### 1. IMPLEMENTATION OF THE NEW CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) ACT 2025.

The introduction of South Australia's new *Children and Young People (Safety and Support) Act 2025* (SA) (the Act) presented both opportunity and responsibility. The Commissioner for Aboriginal Children and Young People's office provided advice to government on how the Act must uphold the rights of Aboriginal children to remain connected to family, culture and Country. The legislation needed to reflect the Child Placement Principle in both spirit and practice, prioritising early intervention, cultural safety and family preservation. The Commissioner's office will closely monitor the implementation of this legislation to ensure it delivers a framework that supports Aboriginal-led solutions and systemic accountability. Crucially, this legislative reform must be accompanied by investment in ACCOs to enable genuine self-determination.

## 2. MONITORING FAMILY GROUP CONFERENCING AND ABORIGINAL FAMILY-LED DECISION-MAKING

The expansion of FGC and Aboriginal Family-Led Decision-Making continues to be a critical area of focus. These models allow families and communities to take an active role in decisions affecting their children, restoring agency and promoting culturally safe alternatives to statutory intervention. The Commissioner's office will be monitoring the reach, quality and cultural integrity of these programs across the state. While the expansion is promising, sustainable success requires stable funding, skilled Aboriginal facilitators, and a commitment to continuous improvement. Evaluation of outcomes must centre on the experiences of families, not just system efficiency. The Commissioner will continue advocating for these programs to be scaled with integrity and embedded as standard practice within child protection locations across the state of South Australia.

## 3. OVERSIGHT OF THE OOHC RECOMMISSIONING INVESTMENT

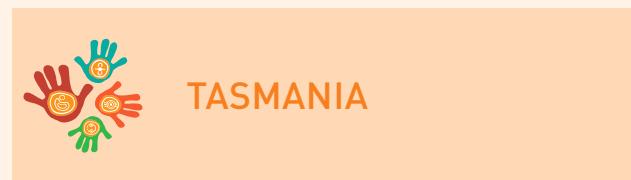
South Australia's recommissioning of OOHC services offers a crucial opportunity to shift the system from crisis-driven responses to preventative, community-led care. The Commissioner's office is closely monitoring the recommissioning process to ensure it meaningfully prioritises the needs of Aboriginal children, who remain significantly over-represented in care. This includes assessing how investment decisions align with Closing the Gap commitments and how Aboriginal-led organisations will be adequately resourced and empowered to deliver care on their terms. The recommissioning must also improve accountability mechanisms, so that the voices of Aboriginal children and young people are embedded in the design, delivery and review of services that affect them.

## 4. REVIEWING STRUCTURED DECISION-MAKING (SDM) TOOLS

A key element of reform is the current review of Structured Decision-Making (SDM) tools used in child protection. These tools have historically guided high-stakes decisions but have also been criticised for applying a narrow, deficit-based lens that does not reflect the strengths or cultural contexts of Aboriginal families. The office strongly supports the move toward more contemporary, inclusive decision-making frameworks that are transparent, culturally safe, and responsive to the lived realities of Aboriginal communities. Tools and assessment processes must shift from formulised checklists to approaches grounded in cultural understanding, relational practice, and community knowledge.

If implemented with care and integrity, these reforms represent a once-in-a-generation opportunity to

transform South Australia's child protection system. The Office of the Commissioner for Children and Young People will continue to hold systems accountable, elevate Aboriginal voices, and ensure that change is shaped by the lived experiences of our children, families, and communities.



## Government input – provided by the Department for Education, Children and Young People

### 1. ACCESS TO QUALITY, CULTURALLY SAFE, UNIVERSAL AND TARGETED SERVICES

Tasmania is strengthening early intervention and culturally safe service delivery for Aboriginal children and families. The Tasmanian Aboriginal Centre (TAC) receives \$1.6 million annually from the Department for Education, Children and Young People (DECYP) for intensive and targeted supports, including Integrated Family Support Services, Intensive Family Engagement Services, Aboriginal Liaison Officers and tailored supports for children in OOHC<sup>10</sup>.

Aboriginal Educators operate in more than 50 government schools, libraries and Child and Family Learning Centres (CFLCs). In 2025, CFLCs expanded to 18 sites, with \$32 million committed for four more regional centres, providing health, education and parenting services, with increased Aboriginal family engagement. In 2025, the Government released the *Independent Review of Education in Tasmania Final Report*, and broader reforms were consolidated under Tasmania's Plan for Closing the Gap 2025-2028, shaped through extensive Aboriginal consultation.

### 2. PARTICIPATION IN AND CONTROL OVER DECISIONS THAT AFFECT THEIR CHILDREN

Tasmania is expanding Aboriginal leadership and decision-making in child safety and family support. Implementation of Safe and Supported and its First Action Plans continues with the TAC, Tasmania's only Coalition of Peaks partner, which received \$1.5 million in 2023 to develop the Nukara Strategy and Action Plan (Nukara) for transitioning Aboriginal child welfare functions to community control. Government will work with the TAC to implement Nukara and will partner with other Aboriginal organisations towards self-

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

determination and cultural connection for Aboriginal children in contact with the child safety system.

The 2024 Sure Start Action Plan supports interagency care team approaches and priority access to services for children in OOHC and Nukara, including six actions to 'develop a collaborative approach to address the negative impact of social determinants on Aboriginal children and families'. Policy changes have increased requirements for Aboriginal family and community involvement in decision-making, and DECYP is establishing the Office for Child and Youth Empowerment to strengthen participation for children in OOHC.

New governance forums, including the Uplifting Care Independent Expert Panel (2025) and the Aboriginal Reference Group (2024), ensure Aboriginal representation in reforms. The National Child and Family Investment Strategy was endorsed in 2025 and will be implemented with Aboriginal organisations towards proportional funding.

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

Cultural safety is being embedded through legislative and practice reform. The *Child and Youth Safe Organisations Act 2023* (Tas) enshrines the Child and Youth Safe Standards (based on the National Principles), supported by the Universal Principle for Aboriginal Cultural Safety, with oversight by the Office of the Independent Regulator.

In 2025, Government endorsed increased health checks for Aboriginal children in OOHC and, in 2024, accepted in principle Recommendation 9.2 of the Disability Royal Commission to ensure all Aboriginal children up to five years entering OOHC are screened using the ASQ-TRAK tool.

Legislative amendments are progressing to establish a Commissioner for Aboriginal Children and Young People and to embed cultural safety and shared decision-making in child protection, youth justice and education laws.

Practice reforms include the Guide to Aboriginal Engagement in Tasmania (2025), the *Feel Safe Are Safe: Our Practice Approach* (2023) and culturally responsive training (2023) developed with Aboriginal trainers. Safeguarding Leads are in every government school, CFLC and Tier 4 site, supported by mandatory Conduct and Behaviour Standards (2024), induction and annual training.

DECYP allocated \$285,000 in 2024 to the TAC and Melaythennar Teeackana Warrana Aboriginal Corporation for prevention planning for children at-risk of entering the youth justice system.

### 4. GOVERNMENTS AND SERVICES ARE ACCOUNTABLE TO ABORIGINAL PEOPLE

Child safety reforms are driven by the Government's response to the 2023 Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. Keeping Children Safe and Rebuilding Trust outlines the plan to implement all 191 recommendations by 2029, including full implementation of the Child Placement Principle. In 2024, Government established the Keeping Children Safe Reform Unit and Keeping Children Safe website to track progress, and passed the Child Safety Reform Implementation Act 2024, creating an independent Child Safety Implementation Monitor to report to Parliament. Funding commitments from 2024 guarantee case managers for all children in OOHC, set maximum caseloads for Child Safety Officers, and provide \$8.3 million for enhanced case management in OOHC and detention. An Executive Director for Aboriginal Children and Young People will report on the Child Placement Principle implementation<sup>11</sup>.

### Community voices – provided by Tasmanian Aboriginal Centre

#### BUILDING BLOCK 1

##### Universal and targeted services

In May 2025, the Tasmanian Aboriginal Centre (TAC) launched the Tirrina Model for Keeping Aboriginal Children Safe and the Nukara Strategy (Nukara). Together, they represent a paradigm shift in how safety, care, and wellbeing are defined, led and sustained by Aboriginal communities in Lutruwita/Tasmania. Universal and targeted services underpin this reform through four new TAC-designed programs.

Government contracts for TAC run Family Support Programs (IFSS and IFES) expired in June 2025. TAC has submitted a redesign proposal integrating these services through alignment with Nukara. The redesign will:

- increase the number of families accessing culturally safe services through clearer pathways,
- shift to outcomes-based reporting aligned with the Child Placement Principle,
- remove access barriers, addressing long-standing cultural safety concerns and service fragmentation, and
- embed trust and Aboriginal authority, laying the foundation for future commissioning.

This redesign requires a modest increase of \$83,010 over two years, showing that strategic alignment with Nukara can deliver tangible improvements without waiting for large-scale funding reform.

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

## BUILDING BLOCK 2

### Participation, control and self-determination

In April 2025, the Tasmanian Government released its Guide to Aboriginal Engagement in Tasmania to support culturally respectful partnerships. While welcome, it does not yet reflect Nukara's progressive vision: embedding Aboriginal leadership, authority and governance at every level of service design, delivery and decision-making. TAC calls on the Tasmanian Government to endorse Nukara as Tasmania's jurisdictional plan for Safe and Supported Action 1(b), advancing shared statutory decision-making and creating a clear pathway to self-determination.

## BUILDING BLOCK 3

### Culturally safe and responsive systems

Progress remains slow. The Child and Youth Safe Organisations Act 2023 embeds the Universal Principle for Aboriginal Safety, but the absence of an Aboriginal Regulator or Deputy Regulator leaves a gap in oversight and cultural authority. Equally, the collection and recording of carers' Aboriginal status and children's family connection information remain inconsistent. Nukara sets out principles and processes for Aboriginal data sovereignty, offering a pathway for structural change.

There has been some positive progress:

- In June 2025, TAC and VACCA co-delivered culturally responsive and trauma informed training through the SNAICC Waterways Project, with 27 service providers participating.
- Child Safety recently lifted staff delegations to strengthen cultural safety in decision-making for Aboriginal and Torres Strait Islander children. However, these adjustments were reactive rather than co-designed. The challenge now is to shift from short-term fixes to proactive reforms that are embedded in Aboriginal and Torres Strait Islander authority.

## BUILDING BLOCK 4

### Accountability

Accountability reform has also stalled. Legislation to establish a statutory Commission for Children and Young People, including a Commissioner for Aboriginal Children and Young People, was due by June 2024. While consultation summaries were released in April 2025, TAC's feedback was excluded, failing to reflect national Safe and Supported Action 7(a) – in developing minimum requirements for Commissioners for Aboriginal and Torres Strait Islander Children.

### ADVOCACY ASKS OF GOVERNMENT

1. Release committed Stage 2 funds for Nukara to TAC under the Closing the Gap Capacity Building initiative.
2. Commit to ongoing funding to establish and strengthen four TAC programs as recommended by Nukara: Kani Pama, Ningina, Palawa Partnership Team and Takariliya Taypani.
3. Legislate for a Commissioner for Aboriginal Children and Young People, in line with Safe and Supported Action 7(a) and national minimum standards.



## VICTORIA

### Government input – provided by the Department of Families, Fairness and Housing

The Victorian Government is committed to reducing the over-representation of Aboriginal children in OOHC care by 45 per cent by 2031.

While significant reform efforts across 2024-2025 have been made, thanks to strong partnership and Aboriginal leadership between the Victorian Government, Victorian Aboriginal communities, and non-Aboriginal community service organisations, the Department of Families, Fairness and Housing (the Department) recognises that substantial ongoing effort is required.

In Victoria in 2023-24, the rate of Aboriginal children aged 0-17 years in OOHC was 90.5 per 1000 children; far above the national average of 50.3. The tabling of the Yoorrook Justice Commission's final report on 1 July 2025, with 100 recommendations for change, also highlights the significant work required across government to achieve justice for First Peoples in Victoria.

#### BUILDING BLOCK 1

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

The 2025-26 State Budget provided \$167.4 million over two years to continue lapsing earlier intervention services for over 5,900 families, including over 800 Aboriginal families. This includes continuation of Connecting, Strengthening and Restoring Families, including intensive, integrated family services, Putting Families First, and Early Help Family services.

The 2025-26 State Budget also provided \$24.9 million over four years to advance self-determined, Aboriginal-led child and family services. This included investments in the Aboriginal Children in Aboriginal Care (ACAC) program that gives ACCOs legal responsibility for Aboriginal children on protection orders and the Community Protecting Boorais program that enables ACCOs to utilise investigative functions and powers.

#### BUILDING BLOCK 2

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

The Department notes the Yoorrook Justice Commission in the 2023 Yoorrook for Justice Report recommended an Aboriginal-led self-determined child protection system (Recommendation 1), and that a Treaty process is currently underway in Victoria. While this process continues, the Victorian Government continues to invest in Aboriginal-led initiatives and reforms that build self-determination in the child and family system.

Part of the \$24.9 million investment in the 2025-26 State Budget included funding for the Aboriginal Children's Forum (ACF) to lead and monitor implementation of Wungurilwil Gapgapduir Aboriginal Children and Families Agreement (Wungurilwil Gapgapduir), the tripartite reform agreement for child and family services between the Victorian Government, Aboriginal community and mainstream community service organisations. Funding was also provided for the Victorian Aboriginal Children and Young People's Alliance to continue working with and representing its member ACCOs to build capacity to design and deliver Aboriginal-led child and family services.

#### BUILDING BLOCK 3

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

On 1 July 2024, amendments under the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Act 2023 (Vic) (the Statement of Recognition Act) came into effect. The Statement of Recognition Act introduces several amendments to the Children, Youth and Families Act 2005 (Vic) to recognise that Aboriginal people are best placed to make decisions and deliver services which protect the best interests of Aboriginal children.

This includes 11 binding principles that require decision makers in the child protection system to have regard when making decisions, working with, or planning services for Aboriginal children and families. The Statement of Recognition Act represents a significant step towards building Aboriginal self-determined child and family services, which will work towards reducing the over-representation of Aboriginal children in the child protection system in Victoria.

## BUILDING BLOCK 4

### Governments and services are accountable to Aboriginal and Torres Strait Islander people

Oversight from ACF has been critical to drive accountability and progress towards the goals of Wungurilwil Gappapduir. A monitoring approach for both the Statement of Recognition and Wungurilwil Gappapduir is in development to support implementation and oversight.

### Community voices – provided by Victorian Aboriginal Child and Community Agency (VACCA) and Victorian Aboriginal Children and Young People's Alliance (VACYPA)

According to data from the Victorian Department of Families Fairness and Housing (DFFH), in Victoria, Aboriginal and Torres Strait Islander children are four times more likely to be reported to child protection than non-Indigenous children, and the over-representation escalates with each step of the child protection process, culminating in Aboriginal and Torres Strait Islander children being 22 times more likely to end up in care. The average duration of care for Aboriginal and Torres Strait Islander children and young people is 50 months, which is seven months longer than for non-Indigenous children. Data from DFFH indicates that the largest funded segment, being Care Services, sees ACCOs receiving just ten per cent of the care services funding, yet Aboriginal and Torres Strait Islander children represent 32 per cent of all children in Care. Of the Care Services budget, residential care, at the tertiary end of the system, is by far the greatest funded program stream.

Prevention of harm and supporting safety and wellbeing in the care of family is always preferable to protective intervention by the State. However, evidence demonstrates that adequate policy attention and resourcing are not being directed towards preventing the need for protective intervention and the placement of Aboriginal children in OOHC. This is particularly the case in relation to the funding of ACCOs to design and deliver prevention, early help and early intervention programs. Current service systems, including early help, children's early learning and care, early intervention, family support and OOHC, face ongoing escalating demand.

Priority One of Wungurilwil Gappapduir is 'equitable local access to Aboriginal models of prevention and early intervention services', and all Victorian ACCOs are strongly committed to achieving that aim. Over this period, the Victorian Government provided funding to ACCOs to develop and deliver models of prevention and early intervention. This funding followed the successful piloting of Aboriginal-led service models by four ACCOs. VACCA, Bendigo and District Aboriginal

Cooperative (BDAC), Njernda Aboriginal Corporation and Goolum Goolum Aboriginal Cooperative. These successful pilots showed that ACCOs know what works for Aboriginal and Torres Strait Islander families to prevent notifications or divert children reported to child protection before they become entrenched in the system. For example, the Njerna Gap Gap Dyir program developed by Goolum Goolum Aboriginal Cooperative has had a profound impact on the lives of Aboriginal and Torres Strait Islander children and families in the Wimmera region, traditional lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk peoples, of western Victoria. The program provides a tailored model of family conferencing that brings together community, Elders and families to co-develop a case plan that is community-owned and culturally grounded. The inclusion of extended kinship and community networks ensures wraparound support for families, drawing on Aboriginal and Torres Strait Islander ways of working, community values and collective responsibility. The power of this model was demonstrated in October 2024, when, for the first time, no Aboriginal and Torres Strait Islander children were referred into child protection in the Wimmera region. This is just one example of the success that can be achieved when Aboriginal and Torres Strait Islander communities have the freedom to design the models that will work for them.

Expanding funding for Aboriginal-led prevention and early intervention into a statewide program was welcomed by Victorian ACCOs. Recognising that over-representation of Aboriginal and Torres Strait Islander children in child protection and OOHC will not change by more of the same, and that Aboriginal and Torres Strait Islander-led solutions are the way to a better future, the Aboriginal Rapid Engagement and Response program is designed to allow ACCOs flexibility in service design and implementation, supported by funded ACCO support roles at the Victorian Aboriginal Children and Young People's Alliance (VACYPA). These support roles have proven critical in holding government accountable for delivering on the vision of the program as a self-determined approach; government implementation at the local level has continued to prioritise restrictive, government-led program guidelines and reporting over the ability of ACCOs to design the services their communities need and measure success according to their community's priorities and Aboriginal and Torres Strait Islander knowledge. While program guidelines, reporting requirements and the level of funding remain areas for improvement, VACYPA and VACCA recommend this approach be continued and expanded, so that ACCOs can provide what communities need.

Victoria has the highest reunification rate for Aboriginal and Torres Strait Islander children (24 per cent), but there is concern about the low investment in prevention. Increasing funding for reunification is essential, but it must be accompanied by adequate investments in prevention and intensive family support services to

ensure families are equipped to provide stable and safe environments. This includes addressing parent and family functioning, healing and housing stability.

For those Aboriginal and Torres Strait Islander children reported to child protection, the Aboriginal-led Community Protecting Boorais (CPB) pilot at VACCA and BDAC is demonstrating the difference made when ACCOs undertake investigations of reports instead of government departments. Unsurprisingly, when an ACCO makes the assessment of what Aboriginal and Torres Strait Islander families need and whether reported concerns should be substantiated as abuse or not, the outcomes are different from those resulting from traditional child protection investigations. By putting culture at the centre of their engagement with families, ACCO workers join with families and offer support rather than judgement.

CPB expands the successful ACAC program that fully authorises ACCOs to make all decisions about Aboriginal and Torres Strait Islander children and their non-Indigenous siblings who are on Children's Court orders. Over this period, ACAC commenced at an additional two ACCOs in addition to the five existing ACCOs. Under Wungurilwil Gapgapduir, DFFH has committed to a long-term plan to expand ACAC. VACCA and VACYPA welcome this commitment beyond the electoral term. Not only do our families need the support offered through local ACCOs, but the ACCOs themselves need funding certainty to plan for the future.

VACYPA continues to support our 15 member ACCOs as their Boards weigh up whether to take on ACAC. No issue is as sensitive as child removal for Aboriginal and Torres Strait Islander people. Taking on responsibility for the administration of colonial child protection laws can seem like betrayal to some community members. VACYPA supports ACCOs to make these decisions for themselves, as community-controlled organisations. The ACCOs that have taken on powers and authority to make decisions about Aboriginal and Torres Strait Islander children see the difference it makes for those children and young people. Culture is celebrated, not denigrated. But VACYPA respects each ACCO's self-determination to decide for community as they determine and when they determine, and works with its members to support their rights and aspirations beyond the confines of existing colonial systems and structures.

While the growth of funding for ACAC and the piloting of CPB are positive developments, they focus on supporting Aboriginal and Torres Strait Islander families already involved in the child protection system. There is an urgent need for increased investment in prevention and early intervention services to prevent problems escalating to the point where child protection intervention occurs. Without investment, the reliance on statutory child protection measures will continue, enabling child removals.

In Victoria, the *Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Act 2023 (Vic)* (the Statement of Recognition Act) includes a Statement of Recognition with binding principles designed to guide child protection practices. However, despite these principles being legislated over two years ago, further work is needed by government to monitor the application of those binding principles and implement processes that hold government accountable for their application. Investment in broader systemic application of these principles has not occurred, nor is their application evident in the way in which 'Aboriginal-led system design' is being undertaken currently by DFFH. This delayed and superficial adherence to these principles is disappointing and reflects a lack of urgency in changing practice or reducing over-representation.

Positively, VACCA has successfully led the development of the Morwell Place-Based Partnership and Community Data Project under the government's Close the Gap commitments to focus on youth-focused solutions to over-representation. Despite this success, broader investment across the state remains inadequate. Funding for Aboriginal and Torres Strait Islander youth groups remains limited, and the focus continues to prioritise the justice sector over preventative, strengths-based support that would help all Aboriginal and Torres Strait Islander young people avoid contact with statutory systems.

The highest source of reporting to child protection in Victoria comes from the education sector. However, the high numbers of reports consistently result in a very low percentage of substantiations. Consistent with priorities under Wungurilwil Gapgapduir, VACYPA and VACCA are seeking dedicated action from the Department of Education and the education sector to address these high rates of unsubstantiated reports, which are disproportionately impacting Aboriginal and Torres Strait Islander children and families. It is critical to long-term reform that universal systems such as education recognise and take seriously their role in prevention and early intervention and invest both time and resources to connect with local ACCOs to support children and families when they have concerns.

Through ACCOs' work supporting Aboriginal and Torres Strait Islander families that have had contact with the child protection system, they understand that issues of poverty and insecure employment, housing stress and homelessness, experiences of racism, including systemic racism, isolation and cultural disconnection, intergenerational trauma and poor social and emotional wellbeing erode the capacity of families to provide all that their children need. These issues result in a higher likelihood of educators reporting to child protection due to perceived abuse. Poverty is not a choice parents are making with the intent to harm their children. Mandatory reporting relies on

educators' fears of reprisal and, therefore, does not always offer an effective intervention for genuine child welfare concerns. Cutting down needless investigations is possible; an increased focus on legislation and investment in community support pathways can strengthen families and increase the likelihood of positive outcomes for children.

International research has highlighted that flooding investigators with calls on minor issues also makes children less safe, distracting investigators from serious harm and diverting funds that could be spent on family support. In New York, they have implemented measures to reduce this, for example, increasing training for school reporters, having hotline staff ask further questions and in neglect cases deemed low risk, specially trained child protective staff call a family to set up a meeting and discuss potential resources.

Wungurilwil Gappapduir also recognises the role of the health system in prevention and early intervention for families. Of particular concern is the very high removal rate of Aboriginal and Torres Strait Islander babies in Victoria, which continues to be significantly higher than the national rate and is driven in part by the alarming number of Aboriginal unborn reports from hospitals and health services that put Aboriginal and Torres Strait Islander families on the back foot before their child is even born. Victorian ACCOs have been calling for all unborn reports to be referred to ACCOs so that pregnant women can get the help they need as early as possible.

VACCA has developed an agency response to support Aboriginal and Torres Strait Islander families early. This includes the Aboriginal-Led Case Conferencing (ALCC) and the reintroduction of Bringing Up Aboriginal Babies at Home (BUABAH). ALCC and BUABAH were both developed through an Aboriginal-led design process in collaboration with the University of Melbourne and piloted by VACCA. Both pilots demonstrated success in diverting Aboriginal families from child protection involvement. However, VACCA has not been fully funded to deliver their Prebirth Response in all their service regions and is advocating for funding to do so.

In addition to VACCA's BUABAH program, BDAC's Garinga Bubup program worked intensively with pregnant Aboriginal women in Bendigo, diverting 63 per cent of child protection involvement. These successes demonstrate that when Aboriginal-led solutions are developed and implemented by ACCOs, they achieve better outcomes for child and family wellbeing. They also demonstrate the need for government to acknowledge the value of Aboriginal-led solutions and invest in successful models that could deliver real and lasting impact if rolled out more broadly.

Healthy, culturally strong, supported families raise healthy, strong and proud Aboriginal and Torres Strait Islander children. There needs to be a stronger focus and investment in the culturally based Aboriginal

and Torres Strait Islander community services and programs that support children and families. We need to take some time to develop an intergenerational Aboriginal-led strategy, not be drawn to imported manualised interventions that have been developed for different populations of children, with fundamentally different cultural backgrounds and circumstances.

## Commissioner input – Commissioner for Aboriginal Children and Young People, Meena Singh

Every Aboriginal and Torres Strait Islander child deserves to grow up surrounded by family, culture, and community. Yet, Victoria's rate of Aboriginal and Torres Strait Islander children in OOHC<sup>12</sup> stands at 90.5 per 1,000, the highest in Australia and nearly double the national average of 50.3 per 1,000. Aboriginal and Torres Strait Islander children in Victoria are 20.6 times more likely to be in OOHC than non-Indigenous children, compared to 10.8 times nationally. The rate of Aboriginal and Torres Strait Islander children in OOHC has increased by 25.3 per 1,000 since 2014-15, while non-Indigenous rates have declined in the same period. This painful reality has deep roots in colonial systems and systemic inequalities that continue to impact Aboriginal and Torres Strait Islander families.

In 2024-25, Victoria has taken important steps towards addressing this crisis through Aboriginal-led reform. The Statement of Recognition Act 2023 commenced on 1 July 2024, formally acknowledging the harm caused to Aboriginal and Torres Strait Islander people by past and present child protection systems. This truth-telling, though long overdue, is essential for healing and genuine transformation to take place.

The Commission's responsibility to monitor and oversee the OOHC system means we see the progress of implementation of all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle (Child Placement Principle) within the *Children, Youth and Families Act* (2005), as well as the ACAC program. Programs led by ACCOs, such as VACCA's CPB, have achieved improved reunification rates, stronger parental involvement and deeper cultural connections by enabling ACCOs to respond to child protection concerns using culturally responsive, strengths-based approaches. When Aboriginal and Torres Strait Islander peoples lead, families heal and children flourish. These outcomes demonstrate the transformative power of self-determination.

However, progress requires proportionate and sustained investment. The Commission urges government to ensure authorised ACCOs receive adequate funding that reflects the scale of over-representation and enables the long-term, holistic work required to support families. We must shift investment decisively toward early intervention and prevention, ensuring

Note: Part 2.2 presents contributions from Aboriginal and Torres Strait Islander community-controlled organisations, Commissioners for Aboriginal and Torres Strait Islander children and young people, and Australian, state, and territory government departments. The input reflects the views of the contributors and is not necessarily endorsed by SNAICC.

families receive support before crises arise. This work cannot simply be within the scope of child protection, but across the whole family services landscape, taking into account the important roles of universal services through health and education.

The Commission continues to advocate for full implementation of the Yoorrook Justice Commission's *Yoorrook for Justice* recommendations with clear timelines and adequate funding for completion.

The establishment of a National Commissioner for Aboriginal and Torres Strait Islander Children and Young People in January 2025 demonstrates national recognition of the need for independent Aboriginal and Torres Strait Islander voices with statutory authority. The Commission remains focused on legislative recognition of the Commissioner for Aboriginal Children and Young People, as recommended by the Yoorrook Justice Commission.

The Commission will continue providing oversight of all children entering OOHC and advocating for Aboriginal community initiatives to reduce these numbers. Our children deserve systems that see them, hear them, and fight for them to stay with family and culture. They deserve self-determination—not in words, but in law, in funding, and in power. The centring of Aboriginal children and young people's voices and the promotion of their rights remain of utmost importance to myself and the broader Commission for Children and Young People. At the time of writing, with Treaty being debated in the Victorian Parliament, Victoria stands in a position to change the course of history for Aboriginal children and young people, and their families.

the commissioning of new services and redirection of funding to the ACCO sector by prioritising culturally responsive, place-based service provision and supports for Aboriginal children and families. Communities' investment in grants and contracts to ACCOs has grown on average by 29 per cent per annum over four years, compared with an estimated 20 per cent average per annum growth for mainstream organisations over the same period.

Examples of investment include a significant funding uplift in the 2024-25 State Budget for the Early Years Partnership 2018-2028, and new family and domestic violence and healing services and initiatives which build on existing work under the *WA Aboriginal Family Safety Strategy 2022-2032* and is supporting implementation of the *Strengthening Responses to Family and Domestic Violence System Reform Plan 2024- 2029* (the System Reform Plan). The foundation of the System Reform Plan is a strong and supported specialist family and domestic violence service sector that includes Aboriginal-led responses to family safety. Communities has also prioritised ACCOs in the recommissioning of services across earlier intervention and family support services, with contracts recently awarded to five new service providers, including four new ACCOs.

## BUILDING BLOCK 2

### Aboriginal and Torres Strait Islander participation in decision-making

Communities, ACCOs delivering OOHC services and the Noongar Family Safety and Wellbeing Council co-designed a Family Carer Management Pilot, which empowers ACCOs to lead the recruitment, assessment and management of Family Carers, delivering culturally safe, community-led services and laying the foundation for a self-determined care system.

Communities is continuing to invest in Aboriginal Representative Organisations, strengthening their role in cultural support planning and decision-making regarding placements under the Child Placement Principle. Additionally, the Aboriginal Family-Led Decision-Making program is working with families to keep children safely at home and return children to family wherever possible, promoting self-determination and child, family and community participation.



## WESTERN AUSTRALIA

### Government input – provided by the Department of Communities

#### BUILDING BLOCK 1

##### Access to quality, culturally safe, universal and targeted services

The Western Australian (WA) Government is continuing to partner with ACCOs and make significant investment into programs and services to deliver early intervention and prevention services relating to social determinants impacting on families involved with the child protection system.

WA strategies, such as the Department of Communities' (Communities) ACCO Strategy 2022-2032, underpin

## BUILDING BLOCK 3

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

Communities has launched the Aboriginal Cultural Framework 2024-2034 and accompanying Implementation Plan One 2024-2026, which is supporting progress towards culturally safe and responsive systems and services.

Communities has launched new culturally responsive revisions to WA's Signs of Safety Child Protection Practice Framework as part of the ongoing commitment to work proactively with families to build safety. The new culturally responsive principle, 'Culture at the Heart', ensures the WA Signs of Safety Framework explicitly addresses the need to respect and value the culture of children and families involved with child protection services. The discipline of 'Culture guides practice at every step' is about child safety practitioners adapting practice to the unique needs of each child and family with whom they work.

In August 2025, the WA Government announced the state-wide rollout of the Community Carer program, which promotes culturally appropriate support and care arrangements for children in care who are Aboriginal and/or are from culturally and linguistically diverse backgrounds. Communities' officers can now record 'community carers' as a new category of primary carers, in addition to foster and family carers.

#### BUILDING BLOCK 4

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

The WA Department of Education (the Department) is developing an ACCO Sector Strengthening grant program to support ACCOs to deliver services to students in WA public schools. The Department partnered with the Council of Aboriginal Services WA (CASWA) to conduct community consultation workshops across the state between June and August 2025.

As part of the Communities ACCO Strategy, Communities is developing a Commissioning Framework in partnership with CASWA and the ACCO sector. Additionally, in July 2025, Communities launched the Aboriginal Engagement Framework, an internal online platform for Communities staff, to strengthen relationships with Aboriginal stakeholders through the creation of culturally responsive engagement approaches.

#### Community voices – provided by Noongar Family Safety and Wellbeing Council and Yorganop Association

The ACCO sector has continued to demonstrate strength, resilience and leadership through another challenging year for Aboriginal children and families in WA. Despite this, WA remains the only jurisdiction without a dedicated Aboriginal child protection peak body. The Department of Communities has not yet supported the establishment of such a body, despite long-standing advocacy by the Noongar Family Safety and Wellbeing Council (NFSWC) and others over the

past decade. NFSWC continues to call for state-wide and national advocacy to secure an Aboriginal-led peak body to represent the voices of Aboriginal children, families and ACCOs across WA.

#### SECTOR STRENGTHS AND CHALLENGES

There are currently five ACCOs delivering OOHC services across WA (four metropolitan and one regional). While the sector continues to grow steadily, it remains critically under-resourced. Short-term and project-based funding continues to undermine workforce stability, long-term planning and program development. Regional ACCOs are in urgent need of capacity building and sustainable funding to support Aboriginal carers in rural and remote communities and to expand culturally grounded OOHC placements.

#### URGENT NEED FOR REFORM

Systemic reform is urgently required to address the severe over-representation of Aboriginal children in care in WA. The current child protection system continues to prioritise compliance and risk-averse practice over healing and connection. Aboriginal children are still too often placed with non-Aboriginal carers, with significant delays and barriers in transferring children to Aboriginal placements even when suitable carers exist.

Carer recruitment and retention remain major challenges, particularly for children with complex needs. Placement decisions frequently prioritise immediate availability over cultural connection due to limited carer numbers. In addition, the lack of therapeutic, wraparound and trauma informed services continues to place unsustainable pressure on carers and ACCOs.

Transition-to-independence supports for Aboriginal young people remain underdeveloped, despite the expansion of Homestretch initiatives across WA. Aboriginal young people leaving care require more robust, culturally responsive supports to thrive in adulthood.

#### CALL TO ACTION

The WA ACCO sector calls upon the WA Government to honour its commitments under the Priority Reforms of the National Agreement on Closing the Gap, particularly in embedding Aboriginal-led decision-making in all aspects of child protection. This includes Aboriginal leadership in placement decisions, case planning, carer assessments, family finding, and family carer assessments. Regional ACCOs must be supported to grow local Aboriginal-led OOHC capacity to ensure Aboriginal children remain connected to family, community, and culture.

## EMERGING OPPORTUNITIES

Signs of positive reform are beginning to emerge. The Family and Domestic Violence System Reform Plan is progressing and, if implemented as intended, will strengthen supports for victim-survivors and families. The Cook Government's commitment to culturally responsive reform of the Signs of Safety Child Protection Framework and the introduction of new Earlier Intervention and Family Support contracts—many of which are Aboriginal-led—represent promising steps toward a more culturally grounded system.

The ACCO sector looks forward to working in genuine partnership with the WA Government and Department of Communities to expand these reforms and ensure that every Aboriginal child in WA can grow up safe, loved, and strong in their family, community, and culture.

### Commissioner input – Commissioner for Aboriginal Children and Young People, Jacqueline McGowan-Jones

Over-representation of Aboriginal and Torres Strait Islander children in OOHC in WA has continued. The 2023–24 Child Protection Report indicates that, in WA, 3,178 Aboriginal children were in OOHC, compared to 2,148 non-Indigenous children, which accounted for approximately 59.7 per cent of all children in care in WA.

The WA Government's efforts to align with Safe and Supported continue to be challenging, with no final action or implementation plan available at the time of writing. These ongoing delays are of significant concern given the continued increase in over-representation of Aboriginal children in the system.

Children and young people, ACCOs and non-government service providers continue to raise concerns with the Commissioner regarding the timely development of leaving care plans and the need for a substantial increase in funding to support children and young people to access the DFFH initiative, Home Stretch.

Publicly available data<sup>13</sup> shows that, in 2023–2024, there were 702 Intensive Family Support Cases (*up from 432 in the previous year*) in regional and remote locations, with only 163 referrals to Intensive Family Support Services, two fewer referrals than the previous year. In 2023–24, the total number of cases was 1703, compared to 1659 in 2022–23, and the total referrals decreased from 510 in 2022–2023 to 449 in 2023–2024. This is highly concerning as investment in intensive family support and earlier intervention are crucial components of reducing the number of children in OOHC.

WA has a significant amount of work to undertake to meet the requirements under Building Block 2. It is acknowledged that commissioning for ACCO services has led to an increased number of ACCOs delivering services; however, it is understood that the funding

is not equivalent to the proportionality of Aboriginal children in child protection.

The Aboriginal Family-Led Decision-Making trial sites have had their trials extended; however, there has been no further expansion across the State since the commencement of the trials in 2021. Transfer of authority to ACCOs to undertake statutory child protection functions is yet to occur, and no timeline has been provided.

ACCOs currently do not have any role in permanency planning or the granting of Special Guardianship Orders. There is significant work required in terms of active efforts to embed all five elements of the Child Placement Principle. The WA Government established a peak body to represent ACCOs; however, this is not a child protection-specific body.

Recent restructuring of the Department of Communities should enable a continued improvement in the delivery of the child protection and family support portfolio. However, the significant reduction of Aboriginal staff in Executive roles across the Department is of concern. It is noted that, following the March election, there was a new Minister appointed for child protection, and engagement with her has been proactive and positive, and it is hoped there will be significant changes going forward. Our children and young people need urgent reform to ensure they are able to have their rights recognised, respected and protected.

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# PART 3

## CONCLUSION AND RECOMMENDATIONS

### 3.1 Conclusion

As we wrap the tenth edition of Family Matters, we pause to reflect on where we've come from and where we are heading.

Ten editions in, this work continues to hold space for truth-telling, for amplifying Aboriginal and Torres Strait Islander voices, and for centring what matters most: that our children are strong, loved and full of potential.

From the beginning, Family Matters has stood as much more than a report. It has been a call to policymakers, practitioners and communities to listen more carefully and act more boldly.

This year's theme; **strong, loved and full of potential**, captures our message clearly. Our children are loved deeply by their families, by Elders, by community, by culture. That love may not always be recognised within mainstream systems, but it is there in the way we raise our own. It's strong love, and it's shaping strong kids.

We know when kids grow up connected to culture, Country and community, they thrive. Their potential comes from who they are and where they come from. It's carried in story, in language, in knowledge, in the ways of knowing, being and doing that have existed in Australia for tens of thousands of years.

Across ten editions of Family Matters, we've seen a shift. Slowly, there's been more space for Aboriginal and Torres Strait Islander-led data, for community-controlled solutions, and cultural ways of doing to be centred, not sidelined.

There is still a long way to go, but the ground is moving.

The recommendations that follow align with the Family Matters Building Blocks. To alter the current trajectory of child safety systems, governments must act with urgency and work in genuine partnership with Aboriginal and Torres Strait Islander families, communities and organisations to create systems that keep our children safe, and families supported, so all children can live safely at home, surrounded by their culture, kin and community.

### 3.2 Recommendations

#### BUILDING BLOCK 1

##### BUILDING BLOCK 1

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

1. Increase the availability of universal and targeted prevention and early intervention support by:
  - a) increasing investment in prevention and early intervention support programs delivered by ACCOs, and
  - b) setting targets for the percentage of family support and intensive family support services funding directed to ACCOs in each jurisdiction and each region to be equivalent to the representation of Aboriginal and Torres Strait Islander children in child protection services, including annual targets and reporting to reflect ongoing progress towards this goal.

Despite demonstrated evidence that child safety systems need to be reoriented towards prevention and early intervention to keep children safe, proportional investment in prevention and early intervention services has decreased in the last five years. A clear strategy and ambitious target for the percentage of family support and intensive family support services funding directed to ACCOs are critical to drive investment. This includes additional investment in evidence-based and culturally safe Aboriginal and Torres Strait Islander community-controlled early childhood education and care, maternal and child health, trauma informed and healing services, family support services and family violence prevention and response.

Increased proportional investment in prevention and early intervention should not be achieved by simply reallocating funding from already stretched child safety and OOHC systems. Instead, government must have the foresight to invest more in and recognise the long-term benefits of prevention and early intervention.

## BUILDING BLOCK 1

- 2. The Australian Government should commit to leading the design and implementation of a national, systematic and sustainable approach to funding ACCO-led integrated early years services, with a focus on ensuring equitable access and coverage across the country.**

The Aboriginal and Torres Strait Islander early years sector offers one of the most powerful opportunities for changing trajectories for our children and families. Services like Aboriginal Children and Family Centres and Multifunctional Aboriginal Children's Services offer a unique type of support that is culturally grounded, holistic, trauma informed and responsive to complex needs.

The importance of this sector is recognised within Goal 2 of the National Aboriginal and Torres Strait Islander Early Childhood Strategy, which identifies the opportunity to 'boost support to Aboriginal and Torres Strait Islander community-controlled integrated early years services and develop initiatives to support their sustainability and holistic services responses to address child, family and community needs'. The current subsidy-based and market-driven models of child care, designed to provide childminding for working families, are ineffective in sustaining our services and addressing the learning and developmental support needs of our children. A well-resourced Aboriginal and Torres Strait Islander early childhood education and care sector, with integrated health, development and family supports, is an essential and indispensable component to preventing trajectories that lead to child safety intervention and must be better resourced, grown and supported.



## BUILDING BLOCK 1

- 3. Develop and resource a joint state- and Commonwealth-funded national program for ACCO-led integrated family support services.**

Large-scale reform efforts and investments in healing and strengthening families are needed to turn around the current rates of removal of Aboriginal and Torres Strait Islander children and meet Target 12 of the National Agreement on Closing the Gap. Such reforms must be developed in full partnership with Aboriginal and Torres Strait Islander communities through governance mechanisms, such as the Safe and Supported Framework.

Action 1 in the First Action Plan for Safe and Supported aims to improve early and targeted support for children and families at risk of coming into contact with child safety systems. Despite this ambitious goal, funding for Safe and Supported is limited and unlikely to lead to the kind of prevention activity that can achieve Target 12.

Resources continue to be directed towards expensive statutory and crisis-driven child safety interventions, rather than supports for families that address the challenges they face before they are in crisis. The forthcoming National Child and Family Investment Strategy (outlined above) aims to shift investment from tertiary and crisis responses towards early support and prevention. However, the Investment Strategy will need to drive significant investment into prevention and early support to shift the system from ineffective tertiary crisis responses, towards preventative support to strengthen families.

A significantly bolstered ACCO-led family services sector would offer culturally safe and responsive, wraparound and step-down casework supports and referrals to help families overcome the barriers and challenges they experience in providing safe care for children.

Child and family support providers are typically made up of a range of organisations with connected expertise across child safety, health, child development and early education. There are significant opportunities to build on the capacity already existing in these sectors, as well as to transfer resources and capacity from mainstream agencies that are ineffective in engaging and supporting Aboriginal and Torres Strait Islander families. Given the key drivers of child safety intervention sit across a broad range of federal and state responsibilities, there is a strong argument for collective state and Commonwealth investment and effort in this space.

## BUILDING BLOCK 2

### BUILDING BLOCK 2

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

4. Develop Aboriginal and Torres Strait Islander-led investment and commissioning processes to better enable the sustainable implementation of Aboriginal and Torres Strait Islander service models and programs, supported by a growing community-led evidence base, including targets for the proportion of funding for child protection and family support services directed towards ACCOs to be equivalent to the proportion of Aboriginal and Torres Strait Islander children involved in child protection systems in each jurisdiction and each region.

In 2020, all Australian governments signed the National Agreement on Closing the Gap. The National Agreement commits all governments to building the Aboriginal and Torres Strait Islander community-controlled sectors. However, once again, the Family Matters Report shows that investment in Aboriginal and Torres Strait Islander organisations to provide family support and child safety services is minimal when compared to the over-representation and needs of our children in these systems.

Community-controlled organisations are governed in a way that is accountable to the community that collectively authorises the service. This report identifies the critical importance of Aboriginal and Torres Strait Islander community-controlled policy design, legal frameworks and service delivery to improve outcomes for children. It is essential that Aboriginal and Torres Strait Islander organisations are strengthened and supported so that Aboriginal and Torres Strait Islander people lead the service design and delivery and the decision-making for Aboriginal and Torres Strait Islander children.

Investment should reflect need and be proportionate to the engagement of Aboriginal and Torres Strait Islander families with child safety systems. Investment approaches must recognise the strengths of Aboriginal and Torres Strait Islander organisations, rather than adopting competitive tendering that privileges large non-Indigenous organisations that are often ineffective in engaging and supporting Aboriginal and Torres Strait Islander families. Service delivery models and

contract requirements must not be tightly constrained so that our agencies can design community-driven and culturally strong approaches to supporting our families. Finally, ambitious investment and commissioning targets must be set, including annual progress targets that are regularly reported against, to ensure dedicated efforts and accountability for progress.

### BUILDING BLOCK 2

5. Establish, resource and support independent ACCO-led Aboriginal and Torres Strait Islander family-led decision-making models in every state and territory, and across all regions, supported by legislation, for all families across all significant child protection decision-making points.

Aboriginal and Torres Strait Islander families have the cultural authority, knowledge and capability to make the best decisions and improve outcomes for their children. The participation of children and their families in child safety decision-making is enhanced when formal processes, such as Aboriginal Family-Led Decision-Making (AFLDM) models, are legislatively required as early as possible in the child safety continuum for all significant decisions. However, for these models to be effective, Aboriginal and Torres Strait Islander organisations must be resourced to facilitate family participation in culturally safe ways.

AFLDM models provide opportunities to bring Aboriginal and Torres Strait Islander cultural perspectives and worldviews to the fore in decision-making, ensuring respect for Aboriginal and Torres Strait Islander values, history and unique child-rearing strengths. Studies have shown that plans generated through these processes have tended to keep children at home or with their relatives and that the approach reinforced children's connections to their family and community. Reviews of existing programs in Victoria and Queensland have confirmed the value and success of these approaches, but uptake across the country remains very limited.

Independent facilitation, support and delivery of these processes by ACCOs is fundamental to their success. Without this, poorly designed and delivered processes can disempower and adversely affect families, reinforcing power imbalances between families and statutory agencies. It is important that AFLDM models are delivered alongside integrated and holistic family support services that assist families to participate and work with families to address their holistic needs as identified through AFLDM processes.

## BUILDING BLOCK 2

**6. Expand and appropriately resource the transfer of authority to Aboriginal and Torres Strait Islander community-controlled organisations for early intervention and statutory child protection functions across Australia, ensuring ACCOs are fully resourced to perform statutory roles.**

Increasing self-determination for Aboriginal and Torres Strait Islander peoples in child safety requires that our communities and organisations exercise full authority over the decisions and actions taken to care for and protect our children. Fundamental to the realisation of self-determination in a fulsome manner is the recognition of Aboriginal and Torres Strait Islander legal frameworks under which such authority can be exercised.

Better decisions will be made—and better outcomes achieved—when responsibility is transferred to our communities and exercised by community-controlled institutions that are authorised by Aboriginal and Torres Strait Islander communities and have the requisite cultural knowledge to understand and advance the rights of our children.

In Victoria, the early progress and strengths of delegated authority in child safety have been recognised and celebrated, supporting increased reconnection and reunification of children in OOHC with their families. Similarly, in Queensland, trial sites for delegated authority have expanded, with early outcomes indicating improved reunification outcomes for Aboriginal and Torres Strait Islander children and families.

Despite the commitment under Safe and Supported to transfer authority for child safety to Aboriginal and Torres Strait Islander organisations, to date, only Queensland and Victoria have implemented transfers of decision-making authority.

## BUILDING BLOCK 2

**7. Develop community-based, youth-led models for participation of children and young people in matters that affect them, as part of mechanisms for partnership and shared decision-making with Aboriginal and Torres Strait Islander communities.**

Children and young people with lived experience of child safety systems must be involved in decision-making about matters that affect them. Creating effective, age-appropriate and culturally safe mechanisms for children and young people to inform decision-making is essential to fulfilling the commitments under the National Agreement and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

These mechanisms must be community-based and youth-led, according to the needs and circumstances of children and young people across all regions, jurisdictions and cultural and language groups.

## BUILDING BLOCK 3

### BUILDING BLOCK 3

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

**8. Safeguard Aboriginal and Torres Strait Islander children from the imposition of inappropriate and potentially harmful permanent orders in the OOHC system, by:**

- ending the adoption of Aboriginal and Torres Strait Islander children from OOHC, and
- requiring, through legislation, that all permanent care orders must be approved by a relevant ACCO authorised by the child's community, and enabling Aboriginal and Torres Strait Islander communities to formulate and administer alternative, culturally safe frameworks that promote stability and permanency for their children, according to the perspectives, expectations and aspirations of Aboriginal and Torres Strait Islander communities.

Aboriginal and Torres Strait Islander children have a right to connection with family, community, culture and Country. Adoption permanently threatens these connections and thereby undermines Aboriginal and Torres Strait Islander children's rights.

Stability for Aboriginal and Torres Strait Islander children must involve supporting and sustaining connections to family, community, culture and Country. Permanent care orders, particularly with non-Indigenous carers, risk severing these connections. Aboriginal and Torres Strait Islander people must be provided with opportunities to design alternative policies and measures to support stability for Aboriginal and Torres Strait Islander children and remain connected to kin, culture and community. SNAICC recommends that permanent care orders or adoption must never be used for our children. However, if these orders are to be used, they must not be made without clear evidence that the Aboriginal and Torres Strait Islander Child Placement Principle has been fully applied, nor without the endorsement of an Aboriginal and Torres Strait Islander agency.

The only form of adoption that has been recognised as acceptable and important within our communities is the

Torres Strait Islander traditional child rearing practice of transferring parental responsibility and rights from birth parents to cultural parents, which was supported and protected in law in Queensland through the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020 Qld.

Family Matters Report 2025 shows that insufficient action is being taken to help families stay together or to safeguard children's connections to family and culture. In this context, pursuing permanent care orders, especially within rigid legal timeframes, creates an unacceptable risk to children's stable sense of identity and cultural belonging. We, as Aboriginal and Torres Strait Islander people, have our own laws, and self-determination includes the right to legislate and administer our own legal systems of governance.

### BUILDING BLOCK 3

- 9. Establish national standards to ensure family support and child protection legislation, policy, and practices require compliance with all five elements of the Child Placement Principle to the standard of active efforts, including:**
  - a) nationally consistent standards for implementation of the Child Placement Principle to the standard of active efforts and linked jurisdictional reporting requirements under *Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031*,
  - b) increased representation of Aboriginal and Torres Strait Islander families, children and communities at each stage of the decision-making process, including through independent Aboriginal and Torres Strait Islander family-led decision-making in every jurisdiction,
  - c) comprehensive, active and dedicated efforts to guarantee all Aboriginal and Torres Strait Islander children in out-of-home care enjoy meaningful connections to family, community and culture, through cultural support planning, identifying and engaging families and kin, return to Country programs, and kinship care support, and
  - d) reform of legislative barriers that inhibit or restrict self-determination, in line with the Child Placement Principle; this is inclusive of the recognition of Aboriginal and Torres Strait Islander legal frameworks.

Implementation of the Child Placement Principle is fundamental to improving outcomes for Aboriginal and Torres Strait Islander children and families. The Child Placement Principle highlights the vital role of

family, community, culture and Country in child and family wellbeing, and affirms that self-determining communities are key to maintaining these connections.

It aims to:

- embed culture as central to the safety and wellbeing of Aboriginal and Torres Strait Islander children,
- uphold the rights of Aboriginal and Torres Strait Islander children, families and communities in contact with child welfare systems,
- strengthen self-determination in child protection decision-making,
- reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection and OOHC.

Adoption of the Child Placement Principle across jurisdictions has been recognised as the 'single most significant change affecting welfare practice since the 1970s' (HREOC 1997, p.379). Accordingly, all jurisdictions have committed to embedding the Child Placement Principle to the standard of active efforts under the *Safe and Supported Aboriginal and Torres Strait Islander Action Plan*.

### BUILDING BLOCK 3

- 10. Increase investment in reunification services to ensure Aboriginal and Torres Strait Islander children are not spending longer in out-of-home care than is necessary due to inadequate planning and support for parents, and increase investment in support services for families once children are returned to support sustained reunification outcomes for children and families.**

Returning Aboriginal and Torres Strait Islander children to their families must be a priority for child safety authorities from the point of removal. A combination of efforts is needed to support families to care for their children. These include:

- proactive planning and culturally safe engagement by child safety practitioners with parents and families,
- support for ongoing contact between children and their families, and addressing a range of needs, such as stable and suitable housing, culturally informed parenting supports, and
- responses to promote healing and address trauma.

SNAICC often hears that many supports are discontinued once reunification occurs, which can create challenges for the family. Families and children need continued support to sustain reunification outcomes and to adjust to children's return to the family, sometimes after significant periods of separation.

## BUILDING BLOCK 3

**11. Establish ongoing initiatives to improve practice, knowledge, responsiveness and accountability to Aboriginal and Torres Strait Islander people in government agencies, in accordance with Priority Reform 3 under the National Agreement on Closing the Gap, including:**

- a) applying the Family Matters Reflective Practice Tool <sup>14</sup> on a regular basis to assess agencies' progress with regard to cultural safety, support for shared decision-making and self-determination, staff capability and safe and effective practice with Aboriginal and Torres Strait Islander children and families,
- b) identifying and eliminating racism—by assessing the capability to understand, apply and promote anti-racism,
- c) employing Aboriginal and Torres Strait Islander people in both identified and non-identified roles at all levels,
- d) commitment to increasing capability and practice improvement to ensure culturally safe engagement with all Aboriginal and Torres Strait Islander stakeholders, including service users, partner agencies and staff,
- e) partnering with Aboriginal and Torres Strait Islander community-controlled organisations to engage with Aboriginal and Torres Strait Islander communities, reimagine systems and practice, deliver services, promote truth telling and ongoing healing and improve service delivery by government and non-Indigenous agencies, and
- f) improving engagement with Aboriginal and Torres Strait Islander people with transparent feedback processes and with Aboriginal and Torres Strait Islander leadership of these processes.

Many Aboriginal and Torres Strait Islander communities and organisations have experienced tokenistic collaborations with government and non-Indigenous organisations. Such tokenism does not improve services for families. Instead, it delays progress by instilling mistrust, reinforcing power imbalances and failing to promote genuine reconciliation.

Under Priority Reform 3 of the National Agreement on Closing the Gap, all governments have committed to transforming their institutions, practices and relationships with Aboriginal and Torres Strait Islander peoples to address the systemic inequality and discrimination embedded in government and non-Indigenous institutions. Achieving this requires government agencies to fundamentally shift their

policies and ways of working to ensure they are culturally safe and responsive.

This transformation means shifting the relationship with Aboriginal and Torres Strait Islander communities, from one that positions ACCOs as service providers within non-Indigenous government systems, to one that recognises the inherent rights of Aboriginal and Torres Strait Islander peoples to determine their own political status and social, cultural economic development (UNDRIP Article 3), and partners on a more equal footings towards shared goals of realising the full potential of Aboriginal and Torres Strait Islander children.

The Family Matters Reflective Practice Tool provides a framework for child and family agencies to assess their practice and identify pathways for improvement, and can support government agencies to meet their obligations under the National Agreement.

## BUILDING BLOCK 4

### BUILDING BLOCK 4

#### **Governments and services are accountable to Aboriginal and Torres Strait Islander people**

**12. Establish and resource peak bodies that support and enable greater participation of Aboriginal and Torres Strait Islander people in shared decision making and partnership for policy and service design, and in the oversight of systems impacting children, in accordance with the National Agreement on Closing the Gap Priority Reform 1.**

Genuine self-determination requires Aboriginal and Torres Strait Islander peoples to have formal roles in leading policy and service design, driving implementation and overseeing child safety systems. This is critical to ensuring governments and services are held accountable for upholding the rights of Aboriginal and Torres Strait Islander children.

Aboriginal and Torres Strait Islander peak bodies play a critical role in legislation and policy development, and the support and establishment of quality and effective community-controlled service systems, but are not present in each jurisdiction. Peaks must be designed and driven from the ground up by Aboriginal and Torres Strait Islander communities, but appropriately resourced and funded by governments.

#### BUILDING BLOCK 4

##### **13. Establish Commissioners for Aboriginal and Torres Strait Islander Children nationally and in every state and territory, in accordance with the UN Principles relating to the Status of National Institutions, empowered by legislation and adequately resourced.**

The scale of the issues impacting Aboriginal and Torres Strait Islander children calls for dedicated commissioners at a national level and in each state and territory. Their role is pivotal to advocating for the rights of our children and to creating accountability for necessary systems and practice change.

Commissioner roles should be established in conformity with the United Nations benchmark guidelines for national human rights institutions (the Paris Principles). To achieve this, roles must be:

- established by legislation to ensure independence and autonomy from government,
- filled by an identified Aboriginal and Torres Strait Islander person with appropriate qualifications, knowledge and experience, and appointed through a transparent process,
- mandated with a clear scope and purpose for the role,
- granted appropriate functions and powers to promote systemic change and accountability, including powers of inquiry and investigation, and
- adequately resourced to perform these roles effectively.

While Commissioner roles exist in many jurisdictions, few adequately include all of these principles, while in some jurisdictions, they remain entirely absent. All jurisdictions should review their existing approach and commit to the implementation of these benchmark principles.

#### BUILDING BLOCK 4

##### **14. Establish partnerships between Aboriginal and Torres Strait Islander communities and governments to guide the design, development, interpretation and use of data relevant to Aboriginal and Torres Strait Islander children. As a priority, we call on all jurisdictions to address data gaps identified throughout this report.**

Governments should collect and report data in an accessible and timely way to empower Aboriginal and Torres Strait Islander communities to access, use and interpret data for local decision-making. The National Agreement commits to shared access to location-

specific data and information to inform decision-making. Currently, there are limited structures and supports at local and regional levels that enable communities to access and use data relating to outcomes for Aboriginal and Torres Strait Islander people. Initiatives are needed to support local communities' ownership of their data and capacity to guide policy and program responses based on administrative, evaluation and outcomes data. This is critical to shifting power in how data is used and responded to from its traditional place as the exclusive domain of government to an approach based on self-determination.

Current data sets do not track progress against the things that matter most for improving safety and wellbeing for Aboriginal and Torres Strait Islander children. What is required is a much broader set of data that can meaningfully indicate whether the needs of Aboriginal and Torres Strait Islander children and their rights to healthy development and connection with community, family and culture are being met in their interactions with child safety systems. Future data development should take into account of identified gaps throughout this report.

#### BUILDING BLOCK 4

##### **15. Change the definition and counting rules for out-of-home care to include children on permanent care orders.**

The exclusion of children who have been permanently removed from their families from the definition and count of children in OOHC makes large numbers of our children invisible in the system. This change to the definition and counting rules in recent years has reduced government transparency and accountability for protecting the rights of our children. It also provides a potentially perverse pathway to achieving Closing the Gap Target 12 by prioritising permanent removal rather than preventing children from coming into the system and reunifying them with their families.

The permanent removal of children from their families presents echoes of the Stolen Generations for Aboriginal and Torres Strait Islander peoples and raises deep concern that governments will continue to repeat the devastating mistakes of severing children's cultural identity and connections. In these circumstances, accountability and transparency are even more important, and governments must count all our children who have been removed and fully acknowledge their enduring responsibility for protecting our children's rights.



# ABBREVIATIONS

ABS	Australian Bureau of Statistics	ECEC	early childhood education and care
AbSec	NSW Child, Family and Community Peak Aboriginal Corporation	ECCDPP	Early Childhood Care and Development Policy Partnership
ACCO*	Aboriginal community-controlled organisation <i>*ACCO respectfully refers to Aboriginal and Torres Strait Islander community-controlled organisation throughout this report.</i>	FGC	Family Group Conferencing
ACCHO	Aboriginal community-controlled health organisation	FLDM	family-led decision-making
ACFC	Aboriginal Child and Family Centre	FSS	Family Support Service
AEDC	Australian Early Development Census	GCO	guardianship custody order
AFLDM	Aboriginal family-led decision-making	IFSS	Intensive Family Support Service
AHRC	Australian Human Rights Commission	NIAA	National Indigenous Australians Agency
AIHW	Australian Institute of Health and Welfare	OCC	Office of the Children's Commissioner (NT)
ALS	Aboriginal Legal Service (NSW/ACT)	OOHC	out-of-home care
ALCC	Aboriginal Led Case Conferencing	QATSICPP	Queensland Aboriginal and Torres Strait Islander Child Protection Peak
AOD	alcohol and other drugs	QFCC	Queensland Family and Child Commission
APGR	annual population growth rate	ROGS	Report on Government Services
ARO	Aboriginal Representative Organisations (WA)	SCRGSP	Steering Committee for the Review of Government Service Provision
ASDB	Aboriginal Service Development Branch (ACT)	TPPRO	third-party parental responsibility order
ATSICCO	Aboriginal and Torres Strait Islander community-controlled organisation	VACCA	Victorian Aboriginal Child Care Agency
CASWA	Council of Aboriginal Services Western Australia		
CCYP	Commissioner for Children and Young People (CCYP)		
CSP	Cultural Support Plans		
DFFH	Department of Families, Fairness and Housing (VIC)		
DFV	domestic and family violence		
DSS	Department of Social Services		





# APPENDICES

## APPENDIX A: METHODOLOGY FOR THE PROJECTION SCENARIO

Part 1.2 estimates future numbers of children in OOHC using average annual population growth rates (APGR). While more advanced models that account for changes over time and rely on previous population levels could be used, the available data does not support that level of complexity. APGR is used as a practical and transparent approach.

The projections illustrate one possible growth path for Aboriginal and Torres Strait Islander children and non-Indigenous children in OOHC, based on the assumption that each group will continue to grow at its historical average rate. To reflect uncertainty, lower and upper estimates were calculated using the minimum and maximum growth rates observed during the same period.

For consistency and ease of comparison, all figures were scaled to a base population of 1,000. This adjustment accounts for the larger number of non-Indigenous children in the overall population and allows for a clearer comparison of growth rates between groups.

This scenario provides a simplified view of potential future trends. It should be interpreted with caution and viewed as indicative rather than predictive. Key limitations and considerations are outlined below.

### LIMITATIONS AND CONSIDERATIONS FOR THE PROJECTION SCENARIO:

- The growth scenarios in the Family Matters Reports 2021 to 2025 are based on a different data set than those used before 2021. This change followed the introduction of a standardised definition for OOHC by the AIHW. As a result, the data range used for the reports since 2021 is shortened to reflect updated

figures provided by AIHW. These changes are made based on updated data on the number of children in OOHC and on TPPROs, for all states and territories, as provided by the AIHW. The updated data, which has been retroactively applied from 2017, forms the basis of the national growth scenario in this report.

- Using a shortened data set affects how this scenario can be interpreted and compared to earlier years. Before 2021, estimates were based on broader calculations that included TPPROs and other supported placements. Because jurisdictions varied in how they counted these children, earlier estimates may have included inconsistencies that overstated growth in the Aboriginal and Torres Strait Islander OOHC population.
- The updated AIHW data provides fewer data points for estimating future growth. This means the projections in this report may either overestimate or underestimate the actual growth rate. As more consistent data becomes available, the accuracy of future projections is expected to improve.
- The standardised counting rules now applied across jurisdictions offer a more reliable foundation for estimating growth. Using data from 2017 onwards also better reflects recent policy and legislative changes, particularly those related to TPPROs. If counting rules remain stable, future growth scenarios will likely offer a clearer picture of potential trends.
- The current projections do not include feedback effects, such as children exiting and later re-entering OOHC through re-reports. This is due to a lack of data on the timing and nature of re-entry. In addition, the model does not account for system capacity limits. It assumes that the OOHC population can grow without restriction, which may not reflect real-world constraints. This limitation is especially relevant for long-term projections.

## APPENDIX B: METHODOLOGY FOR THE REPORT CARD

The Report Card on page 10 of this report provides a summary of progress across states and territories in aligning legislation, policy and practice with the four Building Blocks of Family Matters. Each jurisdiction is given a traffic light rating based on a subjective assessment of key achievements and areas of concern.

The assessment process draws on specific data points from the report that best reflect each Building Block, using the framework outlined in the Family Matters Roadmap. Where jurisdictions did not provide relevant data, those gaps were excluded from the assessment.

In keeping with SNAICC's commitment to self-determination, the perspectives shared in Part 2.1 of this report, under the headings 'Community Voices', have played a central role in shaping the assessments.

The following data points were considered for each building block:

### BUILDING BLOCK 1

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

- investment in universal and targeted services, including family support and early childhood education,
- rates of over-representation in child protection systems,
- funding for community-controlled prevention and early intervention services,
- developmental outcomes from the Australian Early Development Census.

### BUILDING BLOCK 3

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

- placement of children with Aboriginal and Torres Strait Islander carers and kin,
- rates of reunification,
- use of permanent care and adoption,
- cultural support planning and implementation programs,
- kinship carer identification, assessment and support,
- ACCO involvement in delivering culturally safe services.

### BUILDING BLOCK 2

#### ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND ORGANISATIONS PARTICIPATE IN AND HAVE CONTROL OVER DECISIONS THAT AFFECT THEIR CHILDREN:

- support for Aboriginal and Torres Strait Islander organisations to engage in child protection decisions,
- resources and processes for family-led decision-making,
- roles of peak bodies in shaping policy and service systems,
- delegation of statutory responsibilities to ACCOs,
- investment in ACCO service delivery.

### BUILDING BLOCK 4

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

- oversight bodies, such as representative organisations and children's commissioners,
- strategies to reduce over-representation and track progress,
- monitoring and evaluation of reforms,
- additional data provided to support the Family Matters Report.



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# ENDNOTES

- 1 For more information see: [www.snaicc.org.au/resources/family-matters-national-reflective-practice-tool](http://www.snaicc.org.au/resources/family-matters-national-reflective-practice-tool)
- 2 "76 per cent of Aboriginal mothers with one or more notification in 2022 were not notified of the report." Victorian Department of Fairness, Families and Housing data quoted in the Yoorrook for Justice Report (Yoorrook 2023)
- 3 In line with Aboriginal and Torres Strait Islander organisations and communities' views on what constitutes community control in service delivery for Aboriginal and Torres Strait Islander families the following definition is adopted by Family Matters:  
An Aboriginal and/or Torres Strait Islander Community-Controlled Organisation (ACCO) delivers services, including land and resource management, that builds the strength and empowerment of Aboriginal and Torres Strait Islander communities and people and is:
  - incorporated under relevant legislation and not-for-profit,
  - controlled and operated by Aboriginal and/or Torres Strait Islander people,
  - connected to the community, or communities, in which they deliver the services,
  - governed by a majority Aboriginal and/or Torres Strait Islander governing body.
- 4 Clauses 42,43, and 55
- 5 In 2023–24 only 61% of total TILA funding was used (AIFS 2025) – Transition to Independent Living Allowance (TILA) review: Written submissions
- 6 Throughout this section we use the term children rather than young person or people. As the Tasmanian Custodial Inspector noted in their 2025 report on children in Tasmania's Prisons, "The terms 'young person' and 'youth' suggest a level of maturity that most of the children in conflict with the law do not have. It is well accepted that the developmental age of most children appearing in the courts is significantly lower than their chronological/birth age, and that most have backgrounds of trauma, disability and disengagement." (Office of the Custodial Inspector, Tasmania 2025)
- 7 The five domains include physical health and wellbeing; social competence; emotional maturity; language and cognitive skills; and communication skills and general knowledge.
- 8 The Public Sector (Closing the Gap) Legislation Amendment Bill 2025 was presented to the ACT Legislative Assembly in June 2025 and is currently being reviewed by the Standing Committee on Public Accounts and Administration who resolved to undertake an inquiry on 1 September 2025.
- 9 For recent media, see ABC News Story shared by Coalition of Peaks (19 September 2025) <https://www.facebook.com/share/v/1EaB9zNW8T/>
- 10 The TAC has noted that \$280,000 of this total is provided for early and preventative family support services.
- 11 The TAC has noted that this role has not yet been established.
- 12 Not including TPPROs
- 13 [https://www.wa.gov.au/system/files/2023-10/child\\_protection\\_activity\\_performance\\_2022\\_23.pdf](https://www.wa.gov.au/system/files/2023-10/child_protection_activity_performance_2022_23.pdf)
- 14 For more information see: [www.snaicc.org.au/resources/family-matters-national-reflective-practice-tool](http://www.snaicc.org.au/resources/family-matters-national-reflective-practice-tool)



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