

REVIEWING IMPLEMENTATION OF THE ABORIGINAL AND TORRES STRAIT ISLANDER CHILD PLACEMENT PRINCIPLE QUEENSLAND 2025

Acknowledgement of Country

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

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Acronyms and abbreviations

Acronym	Full name of acronym
ACCO	Aboriginal and Torres Strait Islander community-controlled organisation
AFLDM	Aboriginal and Torres Strait Islander Family-Led Decision-Making
AIHW	Australian Institute of Health and Welfare
the Child Placement Principle	Aboriginal and Torres Strait Islander Child Placement Principle
DFSDSCS / DCSSDS	Queensland Department of Families, Seniors, Disability Services and Child Safety
FDSV	Family, Domestic, and Sexual Violence
FGC	Family Group Conferencing
FSS	Family Support Services
IFSS	Intensive Family Support Services
OOHC	Out-of-home care
ROGS	Report on Government Services
SCRGSP	Steering Committee for the Review of Government Service Provision
SNAICC	SNAICC – National Voice for our Children
QATSICPP	Queensland Aboriginal and Torres Strait Islander Child Protection Peak
QFCC	Queensland Family and Child Commission
Qld	Queensland

Executive Summary

This report reviews the progress of the Queensland (Qld) Government, primarily through the Department of Families, Seniors, Disability Services and Child Safety (DFSDSCS), towards implementing the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle (the Child Placement Principle).¹ Recent changes in law, policy and practice are examined, with a focus on the five interrelated elements of the Child Placement Principle: *Prevention, Partnership, Placement, Participation and Connection*.

In Qld, Aboriginal and Torres Strait Islander children were significantly over-represented in all aspects of child protection systems during 2023-24, including in out-of-home care (OOHC). Despite accounting for only 9.4% of 0-17-year-olds, Aboriginal and Torres Strait Islander children made up 46% of children in OOHC, and 37% of substantiated claims of abuse or neglect (SNAICC, 2024). This means they were 8.6 times more likely than their non-Indigenous peers to be in OOHC. Of particular concern, forty-two per cent (42%) of the 1,763 children living in residential care in Queensland are Aboriginal and Torres Strait Islander as at 30 June 2023. Despite this, only 4.2% of child protection funding was invested in Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) (SNAICC, 2024).

The Qld Government's commitment to the National Agreement on Closing the Gap, which aims to reduce the over-representation of Aboriginal and Torres Strait Islander children in OOHC in Australia by 45% by 2031, is driven by *Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families 2017-2037* (Our Way), which provides a broad framework for reform at a whole-of-system level. However, immediate and targeted action is required to fully implement the reform, including substantial funding for ACCOs, culturally informed practices and legislative reforms.

In recent years, Qld has taken a leading role in Australia's child protection landscape in its reforms to deliver better outcomes for Aboriginal and Torres Strait Islander children and young people, being the first jurisdiction in Australia to include all five elements of the Child Placement Principle in child protection legislation in 2017. In 2022, it further solidified this commitment by introducing a legislative requirement for child protection authorities to make 'active efforts' to apply the Child Placement Principle when making significant decisions about Aboriginal and Torres Strait Islander children. Active efforts are defined as 'purposeful, thorough and timely efforts' to apply all elements of the Child Placement Principle (Child Protection Act 1999 Section 5F(6)).

The active efforts legislative requirement came into effect in May 2023. To assist with compliance, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) released *Active Efforts in Practice*, a guide for practitioners working in the community-controlled sector with Aboriginal and Torres Strait Islander children and families in Queensland (QATSICPP 2023a).

Our Way is a significant strategy aimed at eliminating the over-representation of Aboriginal and Torres Strait Islander children in the child protection system in Qld. Developed in partnership with Family Matters Queensland in 2017, Our Way is delivered through a series of action plans under *Changing Tracks (2017-2022)*, *Breaking Cycles (2023-2031)* and *Hitting Targets (2032-2037)*. It supports

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

the Qld Government commitments to the National Agreement on Closing the Gap (the National Agreement) and Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031 (Safe and Supported).

Launched in September 2023, *Breaking Cycles: An action plan for Aboriginal and Torres Strait Islander children and families 2023–2025* (Breaking Cycles) is the third action plan under the Our Way Strategy. It is intended to act as a roadmap for transformational change across the child protection and family support systems in Qld to better meet the needs of Aboriginal and Torres Strait Islander children and families and reduce over-representation of Aboriginal and Torres Strait Islander children in OOHC (Queensland Government, 27 September 2023).

The action plan addresses all elements of the Child Placement Principle through various action items and deliverables under each of the priority areas, all of which are targeted at improving supports for Aboriginal and Torres Strait Islander families. The plan includes several critical reforms, including:

- the expansion of Delegated Authority across Qld,
- the transition of significant investment in child and family services to the ACCO sector by 2032,
- transforming approaches to investment and commissioning that better support self-determination,
- an increased investment in Aboriginal and Torres Strait Islander Family-Led Decision Making (AFLDM) across child protection systems,
- new family and relative care model to ensure kinship placements are prioritised, and
- increasing investment in early intervention services (DCSSDS 2023).

While Queensland's legislative framework for child protection, and its supporting strategies and guidelines, may seem sufficient for the effective implementation of the Child Placement Principle, the primary obstacle to the success of the system is a mismatch between the law's intent and its practical application, particularly when Aboriginal and Torres Strait Islander families interact with the statutory system. This disconnect between policy goals and real-world outcomes is a key challenge in achieving meaningful change for Aboriginal and Torres Strait Islander children in Queensland (QFCC Commissioner Natalie Lewis in SNAICC 2024, p.85)

This incongruence is compounded by other significant challenges, such as the closure of the Path to Treaty process, the stalled establishment of a dedicated Aboriginal and Torres Strait Islander children's commissioner, and static and insufficient investment in ACCOs. The lack of progress on these fronts has led to stagnation in meaningful change in concrete outcomes, improving the safety and wellbeing of Aboriginal and Torres Strait Islander children.

Methodology

This review has been developed by SNAICC – National Voice for our Children with input from Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) and state and territory governments. This review is informed by the best practice approach set out in SNAICC's Child Placement Principle resource series, a 2018 baseline analysis (SNAICC 2018b), and subsequent annual reviews undertaken by SNAICC (SNAICC 2017, SNAICC 2018a). These reviews arise from *Safe and Supported: the National Framework for Protecting Australia's Children 2021–2031*. They also align with the priority reform areas of the National Agreement on Closing the Gap, including Priority Reform 4 on improving Aboriginal and Torres Strait Islander peoples' access to data that affects them and their communities.

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

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

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

This review incorporates qualitative data from Queensland service providers and governments to offer deeper insights into the lived experiences, challenges and opportunities related to the implementation of the Child Placement Principle, as well as the systemic and cultural factors influencing its effectiveness. This review also analyses the most recently available quantitative data to provide an up-to-date assessment of key trends and outcomes related to the implementation of the Child Placement Principle. This focused analysis ensures that the findings accurately reflect the current state of over-representation, service delivery and government responses within Qld Government systems.

Quantitative data is taken primarily from the *Report on Government Services (RoGS) Chapter 16 – Child Protection* (SCRGSP, 2025), the *Australian Institute of Health and Welfare (AIHW) Child Protection Australia report* (AIHW 2024a) and the *AIHW Aboriginal and Torres Strait Islander Child Placement Principle Indicators report* (AIHW 2024b).²

² OOHC figures in this review include 'out-of-home care' and 'third-party parental responsibility orders' (AIHW) or, where specified, 'out-of-home care' and 'other supported placements' (RoGS). Data on children of unknown Indigenous status in OOHC are excluded where relevant.

Delays in the publication of RoGS and AIHW data, due to comprehensive data collection, lead to inconsistencies in the time periods covered. All data used is the most up-to-date available at the time of publication:

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

Prevention

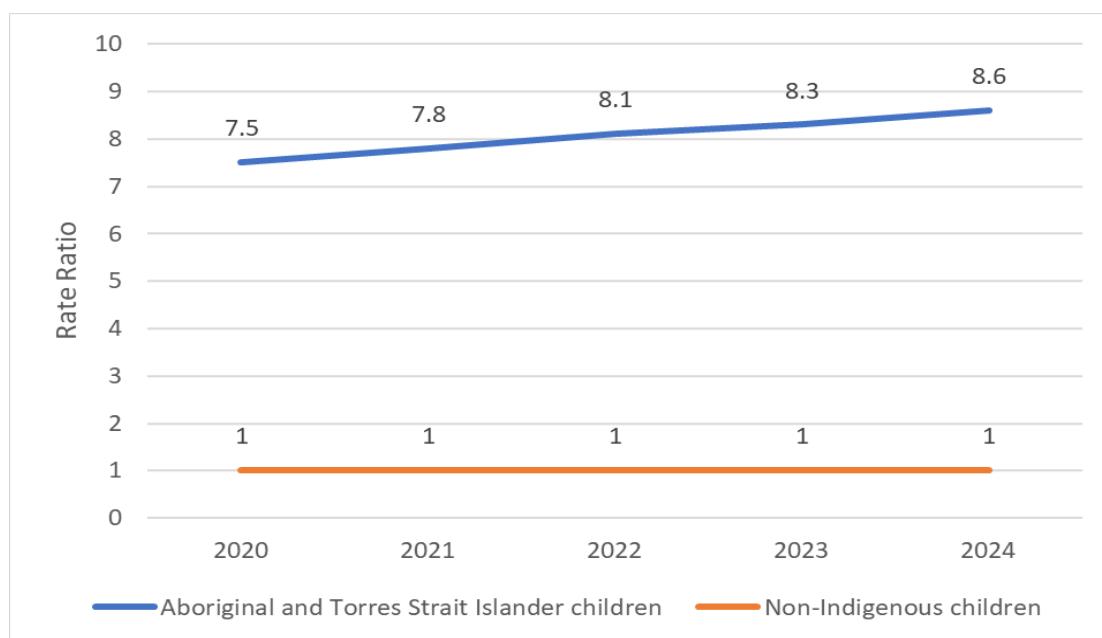
The prevention element of the Child Placement Principle aims to ensure Aboriginal and Torres Strait Islander children grow up healthy and safe, and within their own family and community. Preventing children and families from entering the child protection system requires collaboration among various services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

Over-representation in out-of-home care (OOHC)

Aboriginal and Torres Strait Islander children in Queensland continue to be placed in OOHC and other supported placements at significantly higher rates than non-Indigenous children. Despite commitments to keeping children connected to their families, culture and communities, significant numbers of Aboriginal and Torres Strait Islander children are being removed and placed into the child protection system, often without access to culturally safe support or pathways to family reunification.

As of 30 June 2024, Aboriginal and Torres Strait Islander children in Queensland were placed into OOHC and other supported placements at 8.6 times the rate of non-Indigenous children (SCRGSP 2025, Table 16A.2, 16A.3 and 16A.42). Figure 1 below shows the trend in rate ratios comparing Aboriginal and Torres Strait Islander children and non-Indigenous children in OOHC and other supported placements in Queensland over the past five years.

Figure 1 – Over-representation of Aboriginal and Torres Strait Islander children in OOHC and other supported placements in Queensland as of 30 June 2024.



Source: SNAICC calculation of rate ratios, with data drawn from - Report on Government Services 2025, Part F, Section 16 Child Protection Services. Table 16A.2, 16A.3 and 16A.42³

³ Rate ratios are calculated by dividing the rate for Aboriginal and Torres Strait Islander children (most often per 1,000 children) by the rate for non-Indigenous children. These ratios provide a lens through which to understand how much more likely Aboriginal and Torres Strait Islander children are to

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

The total number and proportion of Aboriginal and Torres Strait Islander children in OOHC and other supported places in Queensland have both increased year on year since 2020 (see Figure 1). As of 30 June 2024, Queensland had 12,028 children living in OOHC and other supported places (SCRGSP 2025, Table 16A.2, 16A.3 and 16A.42). Of this number, 47.2% (5,677) identified as Aboriginal and Torres Strait Islander. (SCRGSP 2024, Table 16A.2, 16A.3 and 16A.42). In 2023, there were 11,658 children in OOHC, 46.3% of whom were Aboriginal and Torres Strait Islander (SCRGSP 2024, Table 16A.2, 16A.3 and 16A.42).

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

	2020-21	2021-22	2022-23	2023-24
Aboriginal and Torres Strait Islander children admitted to OOHC	12.4	11.8	12.7	12.9
Aboriginal and Torres Strait Islander children discharged from OOHC	9.6	10.2	10.9	11.0
Non-Indigenous children admitted to OOHC	1.6	1.4	1.4	1.5
Non-Indigenous children discharged from OOHC	1.3	1.2	1.4	1.4

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

As shown in Table 1 above, the rate of Aboriginal and Torres Strait Islander children per 1,000 entering OOHC each year has slightly increased in the three years since 2020-21, while entry and exit rates for non-Indigenous children have remained steady. The rate of Aboriginal and Torres Strait Islander children per 1,000 discharged from OOHC has slightly increased over the same period. There are various pathways through which children exit care, including reunification, placement on a third-party parental responsibility order (TPPRO), turning 18, transitioning to independent living, or entering detention. While rising exit rates may suggest children are leaving a flawed child protection system, these figures should be approached with caution, as many exits do not necessarily result in positive outcomes for Aboriginal and Torres Strait Islander children (SNAICC, 2024).

In Queensland, of the Aboriginal and Torres Strait Islander children who exited care in 2022-23, only 30.4% were reunified, and 13.2% exited due to age, and 8.6% were placed on a TPPRO. 47.8% exited

experience specific interventions within the child protection systems, including removal from their families of origin. The Aboriginal and Torres Strait Islander population estimates reported in table 16A.42 of the 2025 RoGS are based on the Australian Bureau of Statistics (ABS) 2021 Census. Previous reviews have included RoGS population estimates that were based on the ABS 2016 Census. Between 2016 and 2021, the Aboriginal and Torres Strait Islander Census counts increased to varying degrees across states and territories. Because these calculations involve different data sets, the overrepresentation rates will differ slightly from previous years.

to 'other' circumstances ⁴(AIHW, 2024, Table 10.13). Reunification and the use of permanent care orders are discussed below under *Connection*.

As shown in Table 2, Aboriginal and Torres Strait Islander children in Queensland also remained over-represented in notifications, investigations and substantiations across 2020-2021 to 2023-2024. While rate ratios remained relatively steady or decreased minimally, they still reflect entrenched systemic disparities. Across 2023-2024, Aboriginal and Torres Strait Islander children were 5.2 times more likely to be the subject of a notification; 4.9 times more likely to be investigated, and 5.9 times more likely to be substantiated than non-Indigenous children (SCRGSP 2025, Table 16A.1).

The Queensland Family and Child Commission (QFCC) 2023-2024 Annual Report on the Performance of the Queensland Child Protection System describes the recent surge in notifications as at a 'volume of...unsustainable levels' (QFCC, 2024, p. 21). Although fewer notifications, investigations and substantiations can indicate progress in decreasing the number of Aboriginal and Torres Strait Islander children and families in the system, this report questions whether this decline is a result of active efforts to address over-representation. Rather, the report finds it is more likely this trend is attributable to a capacity-constrained system that delays or misses interventions, which frontline child protection staff say is 'unable to meet current demand' (QFCC, 2024, p. 12).

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

	2020-21	2021-22	2022-23	2023-24
Notifications	5.7	5.7	5.5	5.2
Investigations	5.3	5.7	5.4	4.9
Substantiations	5.3	6.0	6.1	5.9

Source: SNAICC calculation of rates per 1,000, with data drawn from - Report on Government Services 2025, Part F, Section 16 Child Protection Services. Table 16A.14 and 16A.42

Family Support and Intensive Family Support Services

In 2023-24, the proportion of the Qld Government's real recurrent expenditure on child protection services attributed to Intensive Family Support Services (IFSSs) and Family Support Services (FSSs) was 10.4%. This represents a slight decrease from 11.4% in 2022-23, and a decrease in IFSS and FSS cost per child, but an increase in overall IFSS and FSS expenditure in dollar figures (SCRGSP 2024, Table 16A.8). The national average expenditure on IFSSs and FSSs was 15.6% in 2023-24. While the Qld Government's expenditure on IFSS and FSS increased in 2023-24 (Table 3), this proportion of funding put towards early intervention and prevention remains alarmingly low. If the Qld Government continues to direct the majority of funding towards OOHC services, it is likely that the number of children in OOHC will continue to rise.

⁴ The other category denotes children who do not fall into the reunification, third-party order, adopted and aged-out categories. This would include children who are discharged from out-of-home care and exit to a placement that is not in scope for out-of-home care (e.g. a non-funded placement where they live independently, with parents on a trial reunification, in detention etc.).

Table 3 – Proportion of Government child protection services expenditure on IFSSs and FSSs in Queensland (2020-21 to 2023-24)

	2020-21	2021-22	2022-23	2023-24
Total expenditure (\$'000)	1,703,646	1,898,425	2,079,189	2,280,229
Proportion of expenditure on IFSS and FSS (%)	14.2	12.3	11.4	10.4

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

To ensure that IFSSs and FSSs are culturally safe and effective for Aboriginal and Torres Strait Islander children and their families, it is essential that the Qld Government fund ACCOs to provide these services, while also investing in ways to increase the cultural safety and accessibility of mainstream services. In Queensland, 22.2% of IFSS and FSS funding was invested in ACCOs in 2022-23 (17.5% for FSS and 25.1% for IFSS) (SNAICC, 2024). This figure is an increase from 20.3% in 2021-22, and significantly above the national average of 6% (excluding the NT) (SNAICC, 2024).

As shown in Table 4, in 2023-24, 48.6% of children (4,416 out of 9,086 children) commencing IFSSs identified as Aboriginal and Torres Strait Islander (SCRGSP 2025, Table 16A.35). This is compared to 48.4% of children (4,934 out of 10,186 children) in 2022-23.

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

	2020-21	2021-22	2022-23	2023-24
Aboriginal and Torres Strait Islander children commencing IFSSs	4,903	4,788	4,934	4,416
Total children commencing IFSSs	10,757	9,997	10,186	9,086
Proportion of Aboriginal and Torres Strait Islander children	45.6%	47.9%	48.4%	48.6%

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

The absence of available data on engagement in broader family services means there is limited information on whether families are getting supports they need earlier to prevent engagement with the system. The ACCO sector and community stakeholders in Queensland have pointed to the limitations of IFSS programs and funding arrangements that restrict flexible responses to the needs of families in their communities and provide early supports.

Intensive On Country

In 2024, the Department of Youth Justice began a trial of 'Intensive On Country', an on Country program aimed at keeping Aboriginal and Torres Strait Islander children with complex needs out of the youth justice system (Queensland Government 2024). While the program is targeted towards children involved with youth justice, there is a strong crossover between child protection and youth justice: 81.2% per cent of Aboriginal and Torres Strait Islander children under youth justice supervision in Queensland in 2022-23 had also had contact with child protection in the previous 10 years (AIHW 2024d).

The Qld Government reports the program will offer a wide range of supports to children and their families, including mental and physical health support, and support for substance use and accommodation, all of which are interconnected with the prevention of entrance into child protection. Moreover, the program supports families by fostering connection between children, their families and their culture by providing cultural experiences, strengthening protective factors and reducing risk factors.

Importantly, services will be delivered by, or otherwise in partnership with ACCOs. As with all initiatives relying on the services of ACCOs, the success of the trial will be dependent on the level of support and funding attributed to the service provider. Currently, Queensland contributes a relatively small amount of funding to ACCOs, both relative to community need and as a proportion of overall funding (See *Partnership*).

Social Determinant Risks of Increased Contact with the Department of Families, Seniors, Disability Services and Child Safety

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

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

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

This can be evidenced through DFSDSCS processes around notifications, investigations, substantiations and child removal into OOHC disproportionately impacting Aboriginal and Torres Strait Islander families across every stage of system intervention (AIHW, 2024). The interplay of social determinant factors and DFSDSCS processes is further influenced by systemic racism and a lack of cultural awareness, both within government departments and throughout the non-Indigenous Queensland community. In Qld, there continues to be a range of social, economic and health

challenges contributing to Aboriginal and Torres Strait Islander children entering OOHC. The Qld Government has released several strategies designed to address these challenges. Relevant initiatives are outlined in Table 6 below, along with a short description of relevant public commentary or evaluation, if available.

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

Social Strategies	Updates on legislation, policy and practice
Access to early childhood education and care	<p>Recent Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) consultation with communities found the high cost of early childhood education excludes many families from accessing these services (QATSICPP 2022). Legislative amendments passed in Federal Parliament in February 2025 are expected to benefit Aboriginal and Torres Strait Islander children, especially those in remote areas, by ensuring greater access to early childhood education and care (SNAICC 13 February 2025).</p>
Early contact with youth justice	<p>Aboriginal and Torres Strait Islander children have historically been over-represented in youth justice supervision (Human Rights and Equal Opportunity Commission 1997). New laws established under Making Queensland Safer are expected to have severe negative consequences for Aboriginal and Torres Strait Islander children in contact with the criminal justice system. As QFCC Commissioner, Gamilaraay woman Natalie Lewis, warns in her submission to the Bill as it came before Parliament, the new laws, which came into effect on 13 December 2024, will 'exacerbate the existing over-representation of First Nations children in detention, disregard children's developmental rights, erode procedural safeguards, fail to address the root causes of crime and will not result in increased community safety' (QFCC 2024b p.10).</p> <p>In contrast, there is some hope that the trial 'Intensive on Country' program will be successful. This program aims to keep Aboriginal and Torres Strait Islander children with complex needs out of the youth justice system (Queensland Government 2024).</p>
Maternal and child health	<p>Action 4.3 of Breaking Cycles commits to the implementation of the <i>Growing Deadly Families Aboriginal and Torres Strait Islander Maternity Services Strategy 2019-2025</i>. QATSICPP consultation with communities found that many communities want to establish wellbeing or health centres within their community or on Country (QATSICPP 2022).</p>
Family, Domestic, and Sexual Violence (FDSV)	<p>Recent amendments under the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024 strengthen Queensland's domestic violence laws by criminalising coercive control, amongst other things. These changes are a step in the right direction, but do little to eradicate the enduring racism experienced by Aboriginal and Torres Strait Islander victims of family violence and seekers of support.</p>

Alcohol and Other Drugs	<p>In July 2023, The Queensland Mental Health Commission released <i>Shifting minds: Queensland Mental Health, Alcohol and Other Drug Strategic Plan 2018-2023</i> which includes the action to 'expand mental health and alcohol and other drug service capacity and capability within Aboriginal and Torres Strait Islander Community Controlled Health Organisations, and expand cultural capability in mental health and alcohol and other drug services'. Of course, to do this, there needs to be greater investment in Aboriginal and Torres Strait Islander community-controlled health service providers, as well as adequate support to develop and sustain an Aboriginal and Torres Strait Islander healthcare workforce.</p>
Housing	<p>The escalating cost of living and unprecedented housing pressures across Queensland place the greatest burden on those already experiencing socio-economic disadvantage and homelessness. During 2023-24, 35.5 per cent of all people accessing specialist homelessness services in Queensland were Aboriginal and Torres Strait Islander (AIHW 2024c, Table Indigenous.2). In the previous year, Aboriginal and Torres Strait Islander people in Queensland were six times more likely to experience homelessness, twice as likely to live in severe overcrowding compared to non-Indigenous Queenslanders and half as likely to own their own home (Queensland Government 2023, p65).</p> <p>The government is implementing the first of two consecutive action plans under the Our Place Roadmap (Department of Housing and Public Works, 2023, 2024) and developing services for children exiting the child protection system (Department of Housing and Public Works, 2022).</p>

Partnership

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

Investment in ACCOs

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

To effectively support ACCOs, a meaningful proportion of funding must be allocated, ensuring they can deliver essential services for Aboriginal and Torres Strait Islander children and families. This proportion should reflect the service demands of Aboriginal and Torres Strait Islander communities. Despite all jurisdictions committing to reporting on the proportion of their expenditure on ACCOs through the previous *National Framework for Protecting Australia's Children (2009–20)*, current publicly available data products do not capture this measure. However, most states and territories provide this data to inform the SNAICC Family Matters reports (SNAICC, 2024). During 2023–24 in Queensland, Aboriginal and Torres Strait Islander children made up 46% of children in OOHC, and 37% of substantiated claims of abuse or neglect (SNAICC, 2024). Despite this, only 4.2% of child protection funding was invested in ACCOs, slightly below the national average of 6% (excluding the NT), as shown in Table 6 (SNAICC, 2024).

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

Type of service	Total expenditure (\$'000)	Direct funding to ACCOs (\$'000)	% of total expenditure to ACCOs
FSSs and IFSSs	225,143	50,088	22.2
Protective intervention services	327,438	16,553	5.1
Care services	1,430,964	17,561	1.2
Total	1,983,545	84,202	4.2

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

The Queensland Path to Treaty

The Queensland Path to Treaty process was a historic step towards reconciliation, initiated by the state government with the passing of the Path to Treaty Act 2023. This legislation is committed to establishing a legal framework for truth-telling and healing inquiries over three years, as well as the creation of a First Nations Treaty Institute to address the historical injustices faced by Aboriginal and Torres Strait Islander peoples. The process presented a much-needed opportunity for the government to partner with Aboriginal and Torres Strait Islander communities in a meaningful way. However, the newly elected Premier shut down the treaty process in November 2024, effectively undermining any progress made and abandoning the commitment to healing and justice.

Described as ‘divisive and unilateral’ by Aboriginal and Torres Strait Islander Social Justice Commissioner, Kaanju and Biri/Widi woman Katie Kiss (Australian Human Rights Commission, 4 December 2024), this decision not only halts the crucial work of truth-telling but also sends a troubling message about the current government’s unwillingness to confront the past and engage in genuine reconciliation and partnership.

Dedicated Aboriginal and Torres Strait Islander children’s commissioner

The *Family and Child Commission Act 2014* (Qld) stipulates that at least one of two Commissioners must be an Aboriginal or Torres Strait Islander person, which is specified in Section 11(5) of the Act. However, neither role is designated as a dedicated commissioner for Aboriginal and Torres Strait Islander children.

QFCC and Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) have long advocated for a dedicated, fully empowered and legislated Commissioner for Aboriginal and Torres Strait Islander children and young people. This call is backed through Action 7A of Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026, which was developed under Safe and Supported and agreed to by all Australian governments (Commonwealth of Australia 2022).

In January 2024, the Legal Affairs and Safety Committee of the Queensland Parliament recommended that the state government amend the *Family and Child Commission Act 2014* to establish ‘a dedicated, independent, appropriately empowered and resourced Commissioner for Aboriginal and Torres Strait Islander children and young people’ (Queensland Parliament 2024, recommendation 3). However, despite these strong recommendations and the agreement under Safe and Supported, the establishment of such a position has stalled.

Child Protection Act 1999 (Qld)

Amendments to the Queensland *Child Protection Act 1999* (the Act) commencing in May 2023 strengthen the partnership element of the Child Placement Principle and the rights of Aboriginal and Torres Strait Islander peoples (Queensland Parliament 2022, S9). While in the Act, Section 5C(2)(b) previously read:

(b) the [Child Placement Principle] (the partnership principle) that Aboriginal and Torres Strait Islander persons have the right to participate in significant decisions under this Act about Aboriginal and/or Torres Strait Islander children;

It now reads:

- ‘(b) the [Child Placement Principle] (the *partnership principle*) that Aboriginal and/or Torres Strait Islander persons have the right to participate in—
 - (i) significant decisions under this Act about Aboriginal and/or Torres Strait Islander children; and
 - (ii) decisions relating to the development and delivery of services, provided by the department, that—
 - (A) support Aboriginal and/or Torres Strait Islander families; or
 - (B) provide for the care or protection of Aboriginal and/or Torres Strait Islander children.’

This established a stronger legislative requirement for partnership, and monitoring the degree to which this is adhered to will be an ongoing priority to hold government accountable and is a welcome addition to the Act.

Delegated authority and service transition

Breaking Cycles addresses Partnership through a focus on co-design and partnership with Aboriginal and Torres Strait Islander organisations and groups, and capacity building through increased investments in government partnerships. Partnership is also supported by the expansion of the delegated authority powers. Under Breaking Cycles, there is a commitment to transfer the funding and services for Aboriginal and Torres Strait Islander children from non-Indigenous NGOs to ACCOs by 2032. One of the initial deliverables is an ACCO sector readiness plan that is yet to be released.

The Reclaiming Our Storyline initiative is a transformative approach to child protection in Queensland, focusing on delegated authority for Aboriginal and Torres Strait Islander communities. This transition aims to shift decision-making power to Aboriginal and Torres Strait Islander organisations, ensuring culturally safe and responsive child protection services. The initiative is part of the broader Our Way strategy, a 10-year blueprint co-developed by the Qld Government and QATSICPP. It prioritises self-determination, allowing Aboriginal and Torres Strait Islander communities to lead child protection efforts based on their cultural knowledge and values.

Implementation is occurring in stages, with a focus on building strong foundations and supporting local readiness. The transition process acknowledges the complexity of systemic change and requires sustained collaboration between government agencies and Aboriginal and Torres Strait Islander organisations. The goal is to reduce the over-representation of Aboriginal and Torres Strait Islander children in the child protection system while strengthening family and community connections.

Accountability mechanisms

Under Breaking Cycles, Action 8.2 commits to establishing a mechanism for Aboriginal and Torres Strait Islander young people to have a voice to influence the implementation of Our Way. During community consultations in relation to Our Way in September 2022, QATSICPP made several recommendations about accountability. This included co-creating performance indicators for government departments to demonstrate how they are transforming to be more culturally responsive (QATSICPP 2022). There has been no action on this recommendation from government departments to date.

Placement

Placement in accordance with the hierarchy of placement options⁵ is fundamental to maintaining the strongest possible connection between Aboriginal and Torres Strait Islander children and their family, community, culture and Country. The placement hierarchy is not just a guideline—it is a safeguard against disconnection and a commitment to ensuring children grow up with cultural continuity.

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

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

Table 7 – Aboriginal and Torres Strait Islander children aged 0-17, in OOHC, by caregiver type in Queensland, as of 30 June 2021 to 2024 (%).

	2021	2022	2023	2024
Placed with relatives/kin or other Aboriginal and Torres Strait Islander carer				
Aboriginal and Torres Strait Islander relative/kin	21.7	22.8	24.5	24.5
Non-Indigenous relative/kin	17	17.5	19.0	18.1
Total placed with relatives/kin	38.7	40.3	43.5	42.6
Other Aboriginal and Torres Strait Islander carer	11.9	11	10.3	10.1
Total	50.7	51.3	53.8	52.7
In another care arrangement				
Other non-Indigenous carer	35.6	33.3	30.4	29.3
Residential care or family group home	13.7	15.5	15.8	18
Independent living/living arrangements unknown	-	-	-	-
Total	49.3	48.7	46.2	47.3

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

As seen in Table 7 above, the rates of placement of Aboriginal and Torres Strait Islander children with relatives/kin in Queensland remained stagnant in 2023-24, and have only risen slightly since 2020-21.

As of 30 June 2024, 24.5% of Aboriginal and Torres Strait Islander children in Queensland placed in care were placed with Aboriginal and Torres Strait Islander relatives/kin. This is the third lowest rate

⁵ For further detail on the placement hierarchy see SNAICC (2019) *The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation*

in Australia in 2023-34 (SCRGSP 2025, Table 16A.23). The national average for placing Aboriginal and Torres Strait Islander children with Aboriginal and Torres Strait Islander relatives/kin is 32.1% (SCRGSP 2025, Table 16A.23)

DCSSDS Strategic Plan 2022-2026

The DCSSDS Strategic Plan 2022-2026 includes performance indicators in relation to placement.

These are:

- a reduction in the proportion of children in residential care, and
- an increase in the proportion of children in kinship care (DCSSDS 2022).

While a specific target for the reduction in residential care has not been stated, DCSSDS has previously stated its aim is to increase the proportion of children in kinship care to 70% by 2026 (DCSSDS 2023). As at 2024, this figure is sitting at 42.6%. Data showing the growth rate over the previous five years would indicate this figure is unlikely to be achieved – 34.8 % were placed with relatives/kin in 2019 (SCRGSP 2024: table 16A.23).

Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024

A significant development in 2024 is the repeal of Blue Card requirements for kinship carers under the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024*. At commencement, this will remove a major barrier to Aboriginal and Torres Strait Islander people applying to become kinship carers. As highlighted in the QFCC's 2023 report, *A Thematic Analysis of Provisionally Approved Carers Who Receive a Subsequent Blue Card Negative Notice*, obtaining a Blue Card has prevented otherwise eligible Aboriginal and Torres Strait Islander people from becoming kinship carers (QFCC 2023). The report found that Blue Card screening is not designed to assess the suitability of kinship carers, as caring for family members is not considered employment. The report recommended removing the requirement for Aboriginal and Torres Strait Islander people to hold a Blue Card when caring for family members. In response, the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024* (passed on 11 September 2024) incorporated the QFCC's recommendation to remove the Blue Card requirement for kinship carers.

While this is a positive step towards the Child Placement Principle of Placement, the QFCC report also revealed that the system is burdened by systemic bias stemming from both historical and ongoing practices of hyper-surveillance, over-policing and the criminalisation of the vulnerability experienced by Aboriginal and Torres Strait Islander people (QFCC 2023). Please see the QFCC report for an overview of reforms that need to be undertaken to address these issues.

Residential Care Roadmap

In February 2024, DCSSDS released *A Roadmap for Residential Care* (the Roadmap), which aims to establish a model of residential care that better meets the individual needs of the children in residential care within the system. 42% of the 1,763 children living in residential care in Queensland are Aboriginal and Torres Strait Islander as at 30 June 2023 (DCSSDS 2024e p.11), so any reform in this area should be aimed at drastically reducing this over-representation, as well as bolstering culturally appropriate supports for these children.

The Roadmap was developed in partnership with child protection peak bodies QATSICPP, Peak Care and Queensland Foster and Kinship Care and overseen by the QFCC (DCSSDS 2024e p.4). It has six domains for change that include ‘culturally led responses for Aboriginal and Torres Strait Islander children and families’, ‘improving support for kin and foster carers’ and ‘developing a capable, diverse, and effective workforce’. Within the document, DCSSDS states it will collaborate with child protection peak bodies to implement and deliver the roadmap’s actions.

In its December 2024 assessment, the QFCC has strongly criticised the Roadmap, saying it has failed to achieve its objectives to reform the residential care system, reduce the number of children living in residential care, or improve the standard of care provided to children (QFCC 2024a). QFCC Principal Commissioner Luke Twyford has called on the Qld Government to ‘revisit Queensland’s approach to reforming residential care in Queensland, including reconsidering the timing, priorities and scope for many of the worthy actions in the roadmap and implementing them with urgency’ (QFCC 13 December 2024).

Participation

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

Participation is central to the Breaking Cycles action plan as it seeks to empower Aboriginal and Torres Strait Islander communities by enhancing their involvement and decision-making authority in matters related to children. This is especially achieved through increased investment in expanding the Family Participation Program (DCSSDS 2023).

During the 2023-24 period, DCSSDS allocated \$17.6 million to the Family Participation Program (FPP), which primarily supports Aboriginal and Torres Strait Islander Family-Led Decision-Making (AFLDM) processes. These processes are exclusively facilitated by independent Aboriginal and Torres Strait Islander representatives. Between April 2023 and March 2024, 729 AFLDM processes were conducted. However, information regarding the outcomes of these cases is not available.

Decisions about Aboriginal and Torres Strait Islander children (Child Safety policy)

In December 2024, the Child Safety policy Decisions about Aboriginal and Torres Strait Islander children was released with the aim of enhancing the safety, wellbeing and cultural connection of Aboriginal and Torres Strait Islander children (DCSSDS 2023c). Central to the policy is the principle of self-determination, which acknowledges the cultural knowledge of families and communities and the need for their active involvement in decision-making processes, particularly in child protection matters.

Commitment to participation is reflected in the policy in initiatives like family group meetings, designed to facilitate family-led decision-making. However, scrutiny is needed to assess whether these meetings genuinely empower families or merely offer them a platform without real influence (DCSSDS 2023c). The policy's commitment to self-determination is important, but questions remain about the practical limits of this authority, particularly when the statutory framework and child protection policies limit the autonomy of families. The policy also proposes delegated decision-making to ACCOs (DCSSDS 2023c). SNAICC will continue to monitor expenditure to ACCOs in Queensland to ensure these organisations have the capacity, resources, and authority to effectively influence decisions.

Participation of children and young people in decision-making (Child Safety policy)

In July 2023, Child Safety's *Participation of children and young people in decision-making* policy was released. This policy aims to ensure children and young people are provided meaningful and ongoing opportunities to participate whenever a power is exercised or a decision is made under the Child Protection Act 1999 (Qld).

The policy promotes the Child Placement Principle element of participation and its best practice approaches through seeking to ensure active efforts are made to apply the Child Placement Principle

when making a significant decision about an Aboriginal or Torres Strait Islander child. This includes that Child Safety will arrange (with the consent of the child) for an independent person to help facilitate the child's participation in significant decision-making (DCSSDS 2023d).

Connection

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

Protecting children's rights to cultural connection requires:

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

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

The principle of Connection is provided for through the Breaking Cycles programs designed to ensure that Aboriginal and Torres Strait Islander families are both able to contribute to decision-making and recognised as being primarily responsible for the care of a child, such that the child can be raised on country and connected to community and family (DCSSDS 2023). These programs build upon the Changing Tracks Action Plan 2017-22, and are part of reforms aimed at changing the design and delivery of services by shifting the balance of power to communities.

Reunifications

In 2022-23, 6.6% of Aboriginal and Torres Strait Islander children were re-unified from OOHC (including long-term guardianship orders) in Queensland, slightly lower than the rate of 7% in 2021-22, and below the 2022-23 national average of 7.5% (AIHW 2024b, Table 10.15). Comparably, 7% of non-Indigenous children were re-unified from OOHC in 2022-23 (AIHW 2024b, Table 10.15). This slight decrease may be related to a slight 0.2% increase in the use of long-term orders (discussed below (AIHW 2024c, Table s4.10)).

Table 8 – Proportion of children in OOHC who were re-unified from OOHC (including long-term guardianship orders) in Queensland, 2020-21 to 2023-24 (%)

	2019-20	2020-21	2021-22	2022-23
Aboriginal and Torres Strait Islander children	7.4	7.6	7.0	6.6
Non-Indigenous children	8.2	8.6	7.8	7.8

Source: AIHW 2024b, table 10.15.

Children who are reunified with their families from OOHC occasionally return to care, but this is not the case for most children. This is significant because it can be an indicator of whether the support provided to the family has been sufficient and effective in the long term. AIHW reports this data based on whether a child returned to OOHC within 12 months of reunification, excluding those aged 17, who will transition out of care within 12 months and will no longer be in scope for OOHC (AIHW, 2024b).

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

	2019-20	2020-21	2021-22
Aboriginal and Torres Strait Islander children	82.3	82.9	85.5
Non-Indigenous children	81.5	87.7	86.8

Source: AIHW 2024b, Table 10.19 ⁶

Table 9 shows the proportion of children aged 0-16 who were reunified from OOHC and did not return to care within 12 months. In Queensland, 85.5% of Aboriginal and Torres Strait Islander children who were re-unified in 2021-22 did not return to care within 12 months, slightly below the rate for non-Indigenous children (86.8%) (AIHW 2024b, Table 10.19). These rates are slightly above the national rates of 83.7% for Aboriginal and Torres Strait Islander children and 85.3% for non-Indigenous children in 2021-22 (AIHW 2024b, Table 10.19).

Use of Long-Term and Permanent Care Orders

Children on long-term guardianship custody orders (GCOs) and third-party parental responsibility orders (TPPROs)⁶ are considered unsuitable for reunification, due to the fact that they are on orders that typically last until they are 18 years old—reflecting policymakers' desire for permanent outcomes.

However, children on long-term orders have often progressed to long-term care as a result of:

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

Nationally, 73.3% of Aboriginal and Torres Strait Islander children in OOHC at 30 June 2023 were on long-term GCOs and TPPROs (AIHW 2024c, Table S4.10). In Queensland, this figure was 57.9% (AIHW, 2024c), which is the lowest proportion of Aboriginal and Torres Strait Islander children on such orders of all Australian jurisdictions. Accordingly, these children are more likely to be supported towards reunification. However, this is an increase from 57.7% in 2021-22 (AIHW 2024c, Table s4.10). However, the majority of Aboriginal and Torres Strait Islander children in OOHC are on orders that do not prioritise reunification.

⁶ The source for these calculations has changed from previous years' reviews, due to changes in AIHW reporting. Source data is from Table 10.15 of the Aboriginal and Torres Strait Islander children 2022-23 Supplementary Data Tables from Child Protection Australia 2023-24 (which includes reunifications for children on long-term orders) while previous reviews drew from Table S2.3a from the Principle Supplementary tables 2022 released by AIHW (which excludes reunifications for children on long-term orders).

Adoption is uncommon in Queensland. There were no Aboriginal and Torres Strait Islander children who were adopted from OOHC in Queensland during 2023-24.

Child Protection Regulation 2011 (Qld)

Recent amendments to the *Child Protection Regulation 2011 (Qld)* introduced several changes aimed at improving the cultural connection for Aboriginal and Torres Strait Islander children in the child protection system that came into effect in September 2023. One of the most notable changes is in clause 5, which now requires placement agreements (under s 84 of the *Child Protection Act 1999*) to explicitly include measures for ensuring that children maintain a connection to their culture of origin. For Aboriginal children, this includes efforts to preserve their connection with family, community, language and traditions, while for Torres Strait Islander children, it focuses on maintaining ties to their community, language and Island customs (Child Protection Regulation 2023 S5j).

This regulatory shift marks a more proactive approach to the connection element of the Child Placement Principle. Previously, the regulation did not specifically mandate actions to ensure a child's connection to their cultural heritage. The amendments now require a more deliberate and structured approach, compelling agencies to actively facilitate and encourage connections to community and Country. This change is particularly significant where cultural connections have historically been overlooked or inadequately supported.

The amendments also include mandatory record-keeping requirements that came into effect in March 2024 (Section 29b), requiring licensees to maintain records that reflect the child's culture of origin. The new mandatory record-keeping requirement should ensure Aboriginal and Torres Strait Islander children retain a clear record of their cultural identity, improving their chances of reconnecting with their family, community and Country, which is essential for their identity, wellbeing and sense of security.

Cultural support plans

While Queensland remains amongst the jurisdictions with the highest reported proportion of Aboriginal and Torres Strait Islander children with a current cultural support plan (93.7% - above the national average of 83.3% (AIHW 2024, Table 10.5)), concerns remain around the quality and usefulness of some plans. In 2022, the QFCC found that some plans 'lacked detail and did not document how the child or young person would maintain connection with kin, Country and culture' (QFCC 2022a). In 2022, the Qld Government Child Safety Practice Manual was updated to include a short section titled 'Who should participate in the development of the cultural support plan?', which should aid workers in the development of meaningful cultural support plans.

Conclusion

In examining the progress of the Queensland Government towards implementing the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle, this review has found that overall significant reforms are still needed, along with sustained increases in investment in the ACCO sector. This is because Aboriginal and Torres Strait Islander children continue to be significantly over-represented in all aspects of child protection systems during 2023-24, including in OOHC. Of particular concern is the alarmingly high number of Aboriginal and Torres Strait Islander children living in residential care.

The implementation of the Breaking Cycles program brought much-needed reform to the sector. However, unfortunately, it has not gone far enough in enabling the active implementation of the Child Placement Principle.

The continued over-representation of Aboriginal and Torres Strait Islander children in OOHC in Queensland urgently requires more investment in early and preventative supports delivered by ACCOs, enabling culturally responsive mitigation of the socio-economic drivers that increase the likelihood of contact with child protection, in line with the Prevention element. The Queensland Government's ongoing support of a dedicated Aboriginal and Torres Strait Islander children's commission and ACCO child and family peak body works toward the fulfilment of the partnership element. Despite this, greater commitment to independent Aboriginal and Torres Strait Islander leadership and oversight is critically needed to enable system accountability.

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

This review welcomes reforms through strategies such as delegated authority, the DCSSDS Strategic Plan, the Intensive on Country program, and the Residential Care Roadmap. This review hopes that moving forward, programs such as these are expanded and further developed under the leadership of the Queensland ACCO sector and Aboriginal and Torres Strait Islander communities.

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