

# REVIEWING IMPLEMENTATION OF THE ABORIGINAL AND TORRES STRAIT ISLANDER CHILD PLACEMENT PRINCIPLE TASMANIA 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.

## Contents

<b>Acknowledgement of Country</b> .....	<b>2</b>
<b>Contents</b> .....	<b>2</b>
<b>Acronyms and abbreviations</b> .....	<b>3</b>
<b>Executive Summary</b> .....	<b>4</b>
<b>Methodology</b> .....	<b>7</b>
<b>Prevention</b> .....	<b>8</b>
<b>Partnership</b> .....	<b>14</b>
<b>Placement</b> .....	<b>18</b>
<b>Participation</b> .....	<b>20</b>
<b>Connection</b> .....	<b>22</b>
<b>Conclusion</b> .....	<b>25</b>
<b>Reference list</b> .....	<b>26</b>

## Acronyms and abbreviations

Acronym	Full name of acronym
ACCO	Aboriginal and Torres Strait Islander community-controlled organisation
AFLDM	Aboriginal Family-Led Decision-Making
AIHW	Australian Institute of Health and Welfare
ARL	Strong Families Safe Kids Advice and Referral Line
CHAC	Circular Head Aboriginal Corporation
the Child Placement Principle	Aboriginal and Torres Strait Islander Child Placement Principle
DECYP	Tasmanian Department for Education, Children and Young People
FDSV	Family, Domestic and Sexual Violence
FGC	Family Group Conferencing
FSSs	Family Support Services
GCO	guardianship custody order
IFSSs	Intensive Family Support Services
(the) National Agreement	National Agreement on Closing the Gap
OOHC	out-of-home care
RoGS	Report on Government Services
Safe and Supported	Safe and Supported: the National Framework For Protecting Australia's Children
SCRGSP	Steering Committee for the Review of Government Service Provision
SNAICC	SNAICC – National Voice for our Children
TAC	Tasmanian Aboriginal Centre
Tas	Tasmania / Tasmanian
TPPRO	third-party parental responsibility order

## Executive Summary

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

In Tasmania, Aboriginal and Torres Strait Islander<sup>2</sup> 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 11.4% of 0-17-year-olds (AIHW 2024b, Table P4), 40.4% of children in OOHC and other supported placements were Aboriginal and Torres Strait Islander as of June 2024; a rate of 36.6 per 1,000, compared to 6.8 per 1,000 for non-Indigenous children (AIHW 2024b, Table T3). This means Aboriginal and Torres Strait Islander children in Tasmania were 5.4 times more likely than their non-Indigenous peers to be in OOHC and other supported placements.

The Tasmanian Government's commitment to the National Agreement on Closing the Gap (the National Agreement), which aims to reduce the over-representation of Aboriginal and Torres Strait Islander children in OOHC by 45% by 2031, is informed by the Child Placement Principle which aims to ensure that Aboriginal and Torres Strait Islander children in OOHC maintain connections to their family, community, culture, and Country, promoting their wellbeing and resilience. Central to this work is the realisation of Aboriginal and Torres Strait Islander self-determination, and this requires immediate and targeted action to fully implement the Child Placement Principle.

As identified by the Commission of *Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Commission of Inquiry), urgent reforms are needed to progress sustainable funding for Aboriginal community-controlled organisations (ACCOs), culturally informed practices across government agencies, and legislative reforms to support the implementation of the Child Placement Principle. Reforms also include establishing an independent Tasmania Commissioner for Aboriginal Children and Young People to ensure oversight and accountability, and to advocate for the rights and wellbeing of Aboriginal and Torres Strait Islander children in the child protection system. Further, significant data gaps continue to exist in Tasmania, with continued inability to publicly report on the number of Aboriginal Tasmanian children commencing IFSS, or the number of Family Group Conferences (FGCs) held for Aboriginal children, limiting accountability and transparency.

## The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings

Recent child safety reforms in Tasmania are being driven and monitored through the Government's response to the landmark final report of the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Commission of Inquiry). Released in December 2023, *Keeping Children Safe and Rebuilding Trust* outlines the Tasmanian Government's plan to implement all 191 recommendations of the Commission of Inquiries' final report, including Recommendation 9.15, which calls for the full implementation of the Child Placement Principle. The

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

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

Tasmanian Government has accepted this recommendation and committed to implementing the Child Placement Principle by 2029, with the Department of Education, Children and Young People (DECYP) leading this reform (Tasmanian Government 2023a). However, this commitment does not acknowledge the government's existing commitments under *Safe and Supported: First Action Plan for Aboriginal and Torres Strait Islander Children and Families*, which includes similar or identical actions that are required to be delivered by 2026. Aligning these commitments and clarifying timeframes for the realisation of these critical actions is urgently necessary to promote action and accountability for improving outcomes for Aboriginal and Torres Strait Islander children and families.

To ensure transparency, the government has launched the *Keeping Children Safe* website, where the public can track the status of Commission of Inquiry recommendations (Tasmanian Government 2023b). Additionally, the planned Commissioner for Aboriginal Children and Young People and the recently appointed Child Safety Reform Implementation Monitor will oversee reforms and report to Parliament on progress.

In line with Recommendation 9.15, a Keeping Children Safe Reform Unit has been established within the Department of Premier and Cabinet (Tasmanian Government 2024b). Additionally, the Youth Justice Reform Taskforce aims to work with ACCOs to implement a range of early intervention, prevention and diversion programs and options for Aboriginal and Torres Strait Islander children and young people.<sup>3</sup> Further, Tasmania's Plan for Closing the Gap 2025-2028 includes an action to increase and dedicate funding for Aboriginal-led strategies to keep Aboriginal and Torres Strait Islander children safe, in the care of their families, and connected to community, culture and Country. This includes partnering with Tasmania's Coalition of Peaks and recognised ACCOs to progress the transfer of responsibility for Aboriginal and Torres Strait Islander child safety to the ACCO sector, as outlined in the Tasmanian Aboriginal Centre's (TAC) Nukara Strategy and Action Plan (2025).

Furthermore, the 2024-25 Tasmanian Government Budget provided funding of \$1.69 million over four years to support the implementation of the Child Placement Principle (Tasmanian Government 2024b). This funding is to enable the tailoring of assessments, placement, and care planning to address the specific needs of Aboriginal and Torres Strait Islander children. It also enables the establishment of the role of Executive Director for Aboriginal Children and Young People. A key priority of the reform is to establish partnerships with ACCOs to enable equal participation and shared decision-making. However, ACCO sector leaders (represented through TAC) have not been involved in any discussions regarding these positions and remain unclear on how these roles, as proposed within government, will contribute meaningfully to achieving the intent of Recommendation 9.15. Instead, consideration could be given to revising the funding to support implementation of all actions under Recommendation 9.15 and the Safe and Supported Aboriginal and Torres Strait Islander First Action Plan.

In June 2024, the Tasmanian Government also introduced the Change for Children Strategy, Tasmania's 10-year strategy for upholding the rights of children by preventing, identifying and responding to child sexual abuse. A key focus is strengthening government partnerships with the Aboriginal community, including commitments to:

- establish a whole-of-government service to support agencies build partnerships, engaging in shared decision making and transforming practices with Tasmanian Aboriginal people,
- developing a shared Engagement Framework and Toolkit for government agencies to ensure

<sup>3</sup> For more information, the Department of Premier and Cabinet Keeping Children Safe website provides valuable information on youth justice initiatives.

- consistency in engagement and consultation with Tasmanian Aboriginal people, and
- deliver professional learning and capacity-building programs for Tasmanian Government agencies as part of the National Agreement on Closing the Gap (Tasmanian Government 2024c, p.48).

The final progress report for the *Strong Families Safe Kids Action Plan 2021-23*, delivered in December 2024, confirmed reforms would continue as part of the response to the Commission of Inquiry (DECYP 2024b).

## Methodology

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

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

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

Quantitative data is taken primarily from the *Report on Government Services* (RoGS) Chapter 16 – Child Protection (SCRGSP, 2025), the Australian Institute of Health and Welfare (AIHW) *Child Protection Australia* report (AIHW 2024a) and the AIHW *Aboriginal and Torres Strait Islander Child Placement Principle Indicators* report (AIHW 2024b).<sup>4</sup>

---

<sup>4</sup> OOHC figures in this review include 'out-of-home care' and 'third-party parental responsibility orders' (AIHW) or, where specified, 'out-of-home care' and 'other supported placements' (RoGS). Data on children of unknown Indigenous status in OOHC are excluded where relevant.

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

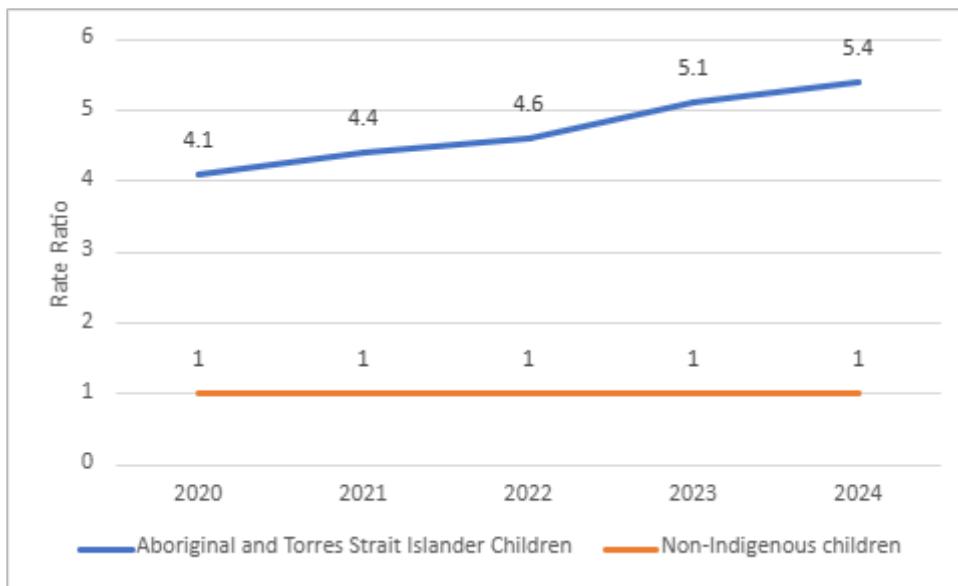
## Prevention

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

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

Aboriginal and Torres Strait Islander children in Tasmania 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, many Aboriginal and Torres Strait Islander children are still being placed into the child protection system, often without access to culturally safe support or pathways to family reunification.

**Figure 1 – Rate of over-representation of Aboriginal and Torres Strait Islander children in OOHC and other supported placements in Tasmania over 5 years, 2020 to 2024.<sup>5</sup>**



Source: SNAICC calculation of rate ratios, with data drawn from - Report on Government Services 2024, Part F, Section 16 Child Protection Services. Table 16A.2, 16A.3 and 16A.4<sup>6</sup>

- 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 ATSICPP Indicators Report: Released December 2023, covering 2021-22 financial year data.

<sup>5</sup> The non-Indigenous children data is set to '1' as a comparison point to the rate ratio for Aboriginal and Torres Strait Islander children.

<sup>6</sup>Rate ratios, are calculated by dividing the rate for Aboriginal and Torres Strait Islander children (most often per 1,000 children) by the rate for non-Indigenous children. These ratios provide a lens through which to understand how much more likely Aboriginal and Torres Strait Islander children are to experience specific interventions within the child protection systems, including removal from their families of origin.

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

While the total number of children in OOHC and other supported places in Tasmania has decreased overall since 2020, the proportion of Aboriginal and Torres Strait Islander children in OOHC has increased. As of 30 June 2024, Tasmania had 1,175 children living in OOHC and other supported places. Of this number, 40.4% (475) identified as Aboriginal and Torres Strait Islander, up from 38.6% in the previous year (SCRGSP 2025, Table 16A.2, 16A.3 and 16A.42).

The rate of Aboriginal and Torres Strait Islander children in Tasmania in OOHC and other supported placements is also increasing relative to their non-Indigenous peers. As of 30 June 2024, Aboriginal and Torres Strait Islander children in Tasmania in OOHC and other supported placements was 5.4 times the rate of non-Indigenous children, up from 5.1 the year before (SCRGSP 2025, Table 16A.2, 16A.3 and 16A.42). Figure 1 shows the steady increase of over-representation of Aboriginal and Torres Strait Islander children in OOHC and other supported placements in Tasmania over the past five years.

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

	2020-21	2021-22	2022-23	2023-24
<b>Aboriginal and Torres Strait Islander children admitted to OOHC</b>	4.1	4.0	5.0	5.9
<b>Aboriginal and Torres Strait Islander children discharged from OOHC</b>	5.0	5.7	6.1	7.9
<b>Non-Indigenous children admitted to OOHC</b>	0.8	0.8	0.6	0.9
<b>Non-Indigenous children discharged from OOHC</b>	1.1	1	1.1	1.1

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 increased over the same period, indicating that care rates may be stabilising or even slightly declining based on the latest data. This could reflect early effects of system reform, though further analysis is needed to understand contributing factors.

There are various pathways through which children exit care, including reunification, placement on a third-party parental responsibility order (TPPRO), turning 18, transitioning to independent living, or entering detention. These figures should be approached with caution, as many exits do not necessarily result in positive outcomes for Aboriginal and Torres Strait Islander children (SNAICC, 2024). In Tasmania, of the Aboriginal and Torres Strait Islander children who exited care in 2022-23, 45.6% were reunified, 21.5% exited due to age, and 13.9% exited to a TPPRO. 19% exited to ‘other’ circumstances (AIHW, 2024, Table 10.13). Reunification and the use of permanent care orders are discussed below under *Connection*.

## Family Support Services

In 2023-24, Tasmania invested 24.3% of its expenditure on child protection into family support services (FSSs) and intensive family support services (IFSSs), which provide support to all children and families in need, not exclusively Aboriginal and Torres Strait Islander children (SCRGSP 2024, Table 16A.8). Although this was a slight decrease from 25.4% in 2022-23, it represents a relatively high proportion when compared with other jurisdictions (SCRGSP 2024, Table 16A.8). However, it is important to note the Tasmanian Government continues to include family violence counselling services in FSS expenditure, which is an anomalous classification of family violence services when compared to other states and territories and national definitions of FSS and IFSS (SNAICC 2024, p.48).

**Table 2 – Proportion of Government child protection services expenditure on IFSS and FSS in Tasmania 2020-21 to 2023-24**

	2020-21	2021-22	2022-23	2023-24
<b>Total expenditure (\$'000)</b>	161,428	164,982	182,142	198,151
<b>Proportion of expenditure on IFSSs and FSSs (%)</b>	25.2	27.8	25.4	24.3

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

As noted in previous reports, data on Aboriginal and Torres Strait Islander and Tasmanian children commencing an IFSS in Tasmania is not available, highlighting an ongoing gap in reporting and accountability. This is because IFSS data in the state is provided by non-government organisations that do not disaggregate data by Aboriginal and Torres Strait Islander status (SCRGSP 2025, Table 16A.35, data note (f)). This represents a significant data gap that should be addressed, particularly given that, for the past ten years, all other states and territories have reliably reported this data in the RoGS (SCRGSP 2025, Table 16A.35). Ensuring consistency in reporting would provide a clearer picture of service access and outcomes for Aboriginal and Torres Strait Islander children in Tasmania. Additionally, no data is available on the number of Aboriginal and Torres Strait Islander children accessing FSSs and IFSSs provided by ACCOs.

In Tasmania in 2022-23, only 2.6% of funding for the delivery of FSSs and IFSSs was allocated to ACCOs (SNAICC 2024, p.51). Tasmanian Aboriginal Centre (TAC) described its 2023-24 funding allocation of \$273,110 for the delivery of family support for Aboriginal communities as ‘staggeringly insufficient’ (SNAICC 2024, p. 89).

While these figures remain concerning, the Tasmanian Government’s disclosure of ACCO funding data marks an important step towards transparency, as publication of previous years’ funding data has been inconsistent. Although the 2.6% allocation represents an increase from previous years, rising from just 0.79% in 2020-21 (SNAICC 2024b), it remains far below the level recommended by the Commission of Inquiry. The Commission of Inquiry called for greater investment in Aboriginal-led early intervention and prevention services, to align with the proportion of Aboriginal and Torres Strait Islander children in OOHC (Commission of Inquiry 2023, recommendation 9.15a). At 2.6%, the current funding allocation remains far below the 40.4% of children in OOHC who identify as Aboriginal and Torres Strait Islander.

## Strong Families Safe Kids Advice and Referral Line

The Strong Families Safe Kids Advice and Referral Line (ARL), established in 2018, acts as a first point of contact for anyone with child safety concerns. TAC and Circular Head Aboriginal Corporation (CHAC) were funded to provide Aboriginal Liaison Officers to support the delivery of ARL. In 2023, the Commission of Inquiry noted that only three Aboriginal Liaison officers were supporting the ARL (Commission of Inquiry 2023). However, the contract with CHAC was terminated through mutual agreement, and TAC has been carrying the additional workload without any corresponding increase in funding. This issue has been raised with DECYP on multiple occasions, but no changes or additional support have been provided to date.

In 2024, DECYP notes that, subject to confirmation of funding, there is an intention to create Aboriginal Liaison Officer roles within the Child Safety Service in 2024 (DECYP 2024). TAC has not been involved in any discussions regarding these positions and remains unclear on how these roles, as proposed within government, will contribute meaningfully to achieving the intent of Recommendation 9.15.

## Social Determinant Risks of Increased Contact with the Tasmanian Department for Education, Children and Young People (DECYP)

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 DECYP. However, these factors do not inherently cause child abuse or neglect. A further risk lies in how government systems respond to social disadvantage. When tailored, culturally safe and accessible early intervention supports are absent, families experiencing hardship are more likely to be drawn into statutory systems rather than supported to remain connected (SNAICC, 2024).

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

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

This can be evidenced through DECYP 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 DECYP processes is further influenced by systemic racism and a lack of cultural awareness, both within government departments and throughout the non-Indigenous Tasmanian community. In Tasmania, there continues to be a range of social, economic and health challenges contributing to Aboriginal and Torres Strait Islander children entering OOHC. The Tasmanian Government has released several strategies designed to address these challenges. Relevant initiatives are outlined in Table 3 below, along with a short description of relevant public commentary or evaluation, if available.

**Table 3 – Strategies to Address Social Determinants of Aboriginal and Torres Strait Islander Health and Wellbeing in Tasmania**

Social Strategies	Updates on legislation, policy and practice
<b>Access to early childhood education and care</b>	<p>The early years are critical for a child's cognitive, emotional and social development, thereby shaping future learning and wellbeing. For Aboriginal and Torres Strait Islander children, quality early childhood education and care play a vital role, easing the school transition and nurturing positive growth. Culturally responsive services are key to reinforcing cultural identity and pride, leading to better developmental outcomes. These services also connect families to health, parenting and social programs, creating a strong support network (SNAICC, 2024).</p> <p>In July 2024, the Larapi Child and Family Learning Centre (CFLC) opened to provide wrap-around support services for children aged 0-5 and expectant parents (DECYP 2024e). This formed part of the Tasmanian Government's previously committed \$28 million to build six new CLFCs by the end of 2024. In June 2024, the Tasmanian Government announced a review of education in Tasmania, which would consider all levels of education. It was noted that the review would be completed with a final report by the end of 2024, to be provided to Government (DECYP 2024d).</p> <p>In February 2025, the Senate passed legislation that includes the scrapping of the Activity Test for childcare, guaranteeing three days of subsidised childcare per week for families from January 2026. This reform promises significant benefits for Aboriginal and Torres Strait Islander children across Australia by ensuring greater access to early childhood education. This reform, along with a \$1 billion fund to build or expand over 160 childcare centres, aims to support low-income and Aboriginal and Torres Strait Islander families, especially those in remote and very remote areas, helping to bridge educational gaps and increase workforce participation.</p>

<b>Early contact with youth justice</b>	<p>The Tasmanian Government reports that they have begun consultation on an Aboriginal Youth Justice Strategy, as part of broader reforms to the youth justice system outlined in the <i>Youth Justice Blueprint 2024-2034</i>. This is in response to Recommendation 12.27 of the Commission of Inquiry and is intended for delivery by 2026. DECYP reports that a <i>Youth Justice Reform Aboriginal Reference Group</i> was established in May 2024 to provide ongoing advice and guidance in relation to youth justice reforms (DECYP 2024).</p>
<b>Maternal and child health</b>	<p>The <i>Bringing Baby Home</i> program continued, with expansion into the north of the state reported by the government in 2023 (Tasmanian Government 2024a). The program provides support for families at risk of having a child removed into OOH, and the TAC has been involved in delivering aspects of it for the Aboriginal and Torres Strait Islander community. While TAC has contributed to aspects of its delivery, its involvement to date has been limited due to workforce and resource constraints. The Tasmanian Government also reported expansion of the <i>Supporting Expecting and Parenting Teens Program</i> (SEPT), run through the Brave Foundation, which matches clients with a professional mentor for 12 months (Tasmanian Government 2024a).</p>
<b>Disability Support</b>	<p>In July 2024, the Tasmanian Government responded to the federal Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. Specifically in relation to Aboriginal people, the government accepted in principle Recommendation 9.2 regarding the use of ASQ-TRAK for screening children entering out-of-home care. The government did not accept but noted that it was further considering Recommendation 9.1 regarding culturally appropriate parenting capacity assessments. (Tasmanian Government 2024d).</p>
<b>Housing</b>	<p>In September 2023, the Under 16 Lighthouse Project was launched with three years of funding, which aims to pilot new responses to homelessness for young people aged 12-15. Mission Australia was selected to deliver the pilot therapeutic residential model of care. DECYP notes that a consultation and co-design process for an Aboriginal Youth Support Service is in the early stages of development (DECYP 2024).</p> <p>In 2024, the Tasmanian Commissioner for Children and Young People released the <i>Nowhere Else to Go</i> report, sharing the views of young people with lived experience of the youth justice system and lived experience of homelessness. The report highlighted the importance of young people at risk of homelessness having access to accommodation that is safe (CCYP 2024). In December 2024, the Tasmanian Government announced a review of <i>Homes Tasmania</i>, which was established in 2022 to deliver social and affordable housing (DPC 2024).</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 the Partnership 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 2022–23 in Tasmania, Aboriginal and Torres Strait Islander children made up 39% of children in OOHC, and 36% of substantiated claims of abuse or neglect (SNAICC, 2024). Despite this, only 0.7% of child protection funding was invested in ACCOs, well below the national average of 6%, as shown in Table 4 (SNAICC, 2024).

**Table 4 – Real recurrent child protection expenditure on Aboriginal and Torres Strait Islander community-controlled services, 2022–23 (Tasmania).**

Type of service	Total expenditure (\$'000)	Direct funding to ACCOs (\$'000)	% of total expenditure to ACCOs
<b>FSSs and IFSSs</b>	44,178	1,130	2.6%
<b>Protective intervention services</b>	32,075	0	0%
<b>Care services</b>	97,511	0	0%
<b>Total</b>	<b>173,764</b>	<b>1,130</b>	<b>0.7%</b>

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

## Government partnership and cultural safety

Applications for Round 2 of the Tasmanian Closing the Gap Capacity Building Grant program closed in June 2023, but the outcomes are yet to be publicly reported by the Tasmanian Government. The 2024-25 Budget papers outline that \$5.3 million was allocated to the program (Tasmanian Government 2023c), an increase from the initial \$3.2 million provided in 2022-23 (SNAICC 2024b). TAC has reported that they have been funded for a second year under the program (SNAICC 2024). This follows their Round 1 (2022-23) \$1.5 million grant to develop an evidence-based and community-led model to transfer responsibility of control of Aboriginal and Torres Strait Islander children to the Aboriginal and Torres Strait Islander community. TAC reports that a strategy and action plan were delivered to the Tasmanian Government in January 2025, which has had additional input from ACCOs in other jurisdictions (SNAICC 2024).

The 2024-25 Budget shows that \$4.5 million was allocated in 2023-24 for 'Aboriginal Affairs' within the Community Partnerships and Priorities output group (followed by \$2 million in 2024-25 and then \$1.3 million over the forward estimates), which funds the Tasmanian Government's work to partner with ACCOs and administer funding agreements (Tasmanian Government 2024). While this is a welcome investment, the importance of directly funding ACCOs for partnerships should be noted.

The Tasmanian Government has also committed to implementing several *Commission of Inquiry* in relation to improving how the Tasmanian Government works with Aboriginal and Torres Strait Islander peoples and embed cultural safety, including:

Recommendations	Response
<b>Recommendation 9.6 (2a):</b> Establish a permanent OOHC advisory group to be involved in developing the OOHC strategic plan and have ongoing input into the OOHC system. This group should include Aboriginal and Torres Strait Islander peoples.	Tasmania has committed to implementation by 2026.  TAC reports that advocacy efforts have led to the Tasmanian Government agreeing to expedite this to be achieved by late 2025 or early 2026 (SNAICC 2024). The 2024-25 Budget provides that ongoing funding of \$250,000 will be provided from 2027-28 onwards to support the establishment of the role (Tasmanian Government 2024).
<b>Recommendation 9.7:</b> The Department for Education, Children and Young People should appoint an Executive Director for Aboriginal Children and Young People for the whole of the Department.	Tasmania has committed to implementation by 2026.

<p><b>Recommendation 9.15b:</b> Adopting and reporting on measures to reduce institutional racism and supporting decolonising practices in the Department for Education, Children and Young People (DECYP) to reduce the over-representation of Aboriginal and Torres Strait Islander children in OOHC.</p>	<p>Tasmania has committed to implementation by 2029.</p> <p>TAC reports that the Tasmanian Government is beginning to partner with them on cultural awareness training for Child Safety staff and co-designing policy advice (TAC 2024), which represents a step towards achieving this recommendation.</p> <p>In 2023, the Office of the Independent Regulator was established via the <i>Child and Youth Safe Organisations Act 2023</i>. Within this Act, a Universal Principle for Aboriginal Cultural Safety was mandated, which states organisations must provide an environment that ensures the right to Cultural Safety of Aboriginal and Torres Strait Islander children. TAC has welcomed this development and called for the appointment of an Aboriginal Deputy Regulator within the new Independent Regulator (TAC 2024).</p>
---	---

DECYP report that an ‘Aboriginal Engagement Framework’ has been drafted in consultation with community and is currently being reviewed by government agencies prior to being finalised. It is reported that this framework will ‘support the Tasmanian Government and its agencies to work in genuine, ongoing and culturally respectful partnership with Aboriginal people and organisations’ (DECYP 2024).

### Commissioner for Children and Young People

The Commission of Inquiry strongly recommended that a Commissioner for Children and Young People be established (Recommendation 18.6). In response, the Tasmanian Government has committed to implementation by 2024. In September 2024 consultation opened on a draft Bill that will establish a new Commission for Children and Young People, including a specific role of a Commissioner for Aboriginal Children and Young People.

SNAICC and TAC’s submissions welcomed the commitment to a Commissioner for Aboriginal Children and Young People and highlighted how the role could be strengthened by better alignment with the ‘Paris Principles’ adopted by the UN General Assembly that outline the minimum national standards for the establishment of National Human Rights Institutions. The Paris Principles highlight the importance of autonomy, legislated independence, resourcing and funding, and adequate investigation powers. Further details on the consultation and public submissions can be found on the Tasmanian Department of Justice (DOJ 2024).

### Truth-Telling and Treaty

The Truth-Telling and Treaty process was initially announced by the Government in 2021 as a step toward upholding the rights of Aboriginal and Torres Strait Islander children and young people through community empowerment. Since then, an Aboriginal Advisory Group has been meeting throughout 2023 and 2024 to provide advice to the government, with a final report due in mid-2025 (DPC 2024).

However, TAC has raised concerns that the process lacks support from the Palawa community and is undermining partnership opportunities with the government (TAC 2024). Additionally, Chair of Tuylupa Tunapri, Palawa man Rodney Gibbins, has highlighted that there has been no response to their

draft *Lutruwita Treaty Bill 2023* submitted to the government (Morse 2022).

Recently, the Tasmanian Government announced that it would no longer pursue a Treaty, instead committing solely to truth-telling and funding independent Commissioners to guide the process (Tasmanian Government, 2025). The 2025-26 budget includes \$880,000 over two years for the appointment of these Commissioners. While some Aboriginal and Torres Strait Islander organisations have welcomed the funding, others have expressed disappointment over the decision to abandon the Treaty process.

## Placement

Placement in accordance with the hierarchy of placement options<sup>7</sup> is fundamental to maintaining the strongest possible connection between Aboriginal and Torres Strait Islander children and their family, community, culture and Country. The placement hierarchy is not just a guideline—it is a safeguard against disconnection and a commitment to ensuring children grow up with cultural continuity.

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

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

**Table 5 – Aboriginal and Torres Strait Islander children aged 0-17, in OOHC, by caregiver type in Tasmania, as of 30 June 2021 to 2024 (%)**

	2021	2022	2023	2024
<b>Placed with relatives/kin or other Aboriginal and Torres Strait Islander carer</b>				
Aboriginal and Torres Strait Islander relative/kin	10.7	12	17.0	17.7
Non-Indigenous relative/kin	32.3	33	30.4	24.1
Total placed with relatives/kin	42.9	45	47.3	41.8
Other Aboriginal and Torres Strait Islander carer	5	6.1	7.6	9.9
<b>Total</b>	<b>47.9</b>	<b>51.2</b>	<b>54.9</b>	<b>51.6</b>
<b>In another care arrangement</b>				
Other non-Indigenous carer	45.9	42.5	38.5	40.3
Residential care or family group home	5.5	5.6	6.1	7.3
Independent living/living arrangements unknown	0.7	0.8	0.5	0.8
<b>Total</b>	<b>52.1</b>	<b>48.8</b>	<b>45.1</b>	<b>48.4</b>

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

<sup>7</sup> For further detail on the placement hierarchy see SNAICC (2019) *The Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation*

As seen in Table 5 above, the rates of placement of Aboriginal and Torres Strait Islander children with relatives/kin in Tasmania increased slightly in 2023-24. As of 30 June 2024, 17.7% of Aboriginal and Torres Strait Islander children in Tasmania placed in care were placed with Aboriginal and Torres Strait Islander relatives/kin. This is the second lowest rate in Australia after the Northern Territory (SCRGSP 2024, Table 16A.23). The national average for placing Aboriginal and Torres Strait Islander children with Aboriginal and Torres Strait Islander relatives/kin is 32.2% (SCRGSP 2024, Table 16A.23).

As reported in the previous SNAICC implementation review for 2021-23, DECYP notes its continuing work to develop policies that support timely decision-making for children and young people in OOHC. DECYP notes it is designing a program to support the practical implementation of its permanency and stability policy (DECYP 2024).

It is important that these types of policies account for Aboriginal and Torres Strait Islander kinship relationships and cultural identity development, instead of prioritising stability as defined as timely placement with one carer, an approach grounded in Western attachment theory (Wright et al 2024). As noted in the Family Matters report, rigid timeframes for reunification based on timely placement are a concern, as when these are not met, children can lose family connections by being placed on permanent care orders or adoption being pursued (SNAICC 2024).

### **Kinship care**

DECYP reports that work is underway to ensure all Aboriginal and Torres Strait Islander carers are identified as Aboriginal and Torres Strait Islander, to improve the accuracy of data about placement types (DECYP 2024). This is an essential element in ensuring that connection to culture and kin are prioritised in placement decision-making. TAC notes that good progress has been made to reduce the number of children in OOHC with 'unknown' Aboriginal and Torres Strait Islander status, but that work is needed to improve carers' Aboriginal and Torres Strait Islander status.

The 2024 Annual Report for the Child and Youth Wellbeing Strategy notes that action on Recommendations from the 2021 *Informal Kinship Care Review* is occurring (Tasmanian Government 2024a). A change in government terminology from 'informal' to community kinship care has been noted as part of this. Current activities include the Community Kinship Program delivered by Baptcare and Mission Australia, as well as training offered by the Foster and Kinship Carers Association of Tasmania (TasCOSS 2024). The TAC's Nukara Strategy also includes an action to develop a Carers Strategy, which will review and consider these recent changes in terminology.

### **Sure Start Action Plan 2024**

In May 2024, the Tasmanian Government released the *Sure Start Action Plan 2024*, which aims to improve coordination across government agencies and provide priority access to government services for children and young people in care (DECYP 2024c). In particular, it introduces an Interagency Care Team Model pilot which includes the Department for Education, Children and Young People, Department of Premier and Cabinet, Department of Justice, Department of Health, Department of Police, Fire and Emergency Management, and Homes Tasmania.

While in theory the Interagency Care Team Model pilot represents a positive step toward holistic support for all children in care, the current model lacks any dedicated cultural competency framework, leaving a significant gap in culturally safe and community-led support for Aboriginal and Torres Strait Islander children in care.

## 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 DECYP processes. Historically, departmental systems have marginalised Aboriginal and Torres Strait Islander voices, making decisions without Aboriginal and Torres Strait Islander 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.

## Family Group Conferencing

There is currently no publicly available update on the number of Family Group Conferences (FGCs) held for Aboriginal and Torres Strait Islander children in Tasmania for the 2023-24 period. The DECYP has conducted a procurement process for Conciliation and Facilitation services. This includes FGC for children identified as at risk. The focus of the tender process was on encouraging Aboriginal and Torres Strait Islander applicants and emphasised cultural inclusivity and partnership with Aboriginal and Torres Strait Islander organisations. The tender process has been completed, and training and induction for new facilitators will begin soon (Tasmania Government 2024e). The nine current Facilitators commissioned to provide conciliation and facilitation services do not state in their biography that they are Aboriginal or Torres Strait Islander, or that they focus on Aboriginal and Torres Strait Islander children and families.

## Family-led decision making

As highlighted in the previous implementation review, in 2023 DECYP implemented a new decision-making forum within the Child Safety Service, where organisations and family members representing Aboriginal and Torres Strait Islander children and young people form a panel to provide input on child protection decision-making. There is no publicly available information on the use or effectiveness of this initiative; however, DECYP does have a Decision-Making Forum Procedure, with mandatory requirements for staff to ensure that organisations and family members representing Aboriginal and Torres Strait Islander children and young people are part of a panel to provide input on child protection decision-making. The Outcome Record from the forum 'must be saved to the child's CPIS file'.

In 2023, DECYP also released the *Feel Safe, Are Safe: Our Practice Approach* (OPA), which outlines standards for Child Safety Service practice, including how participation of Aboriginal families should be enabled (DECYP 2023). The *Feel Safe. Are Safe. Our Practice Approach 2023 Implementation Plan* was reviewed in 2024 to ensure that the OPA was embedded in and managed through business-as-usual strategies. The review found that OPA was embedded in practice through people and workforce strategies, operations and service delivery, and governance and oversight mechanisms. For example, OPA is embedded in procedures including the Clinical Supervision, Practice Reflection, Wellbeing in Care, Case and Care Team Planning Procedures and in training materials. In 2024, DECYP reported a change to the case management approach by implementing care teams as a key mechanism for decision-making with and for children and young people (DECYP 2024). The newly established care team works to identify, plan, monitor and meet the individual needs of children, and is ideally made up of representatives from the identified Aboriginal and Torres Strait Islander community. DECYP also report that additional Child Advocate Liaison roles are being established, along with support staff, to further support children in child-protection decision-making processes (DECYP 2024).

These are welcome changes, but, as highlighted in the previous implementation review, Action 57 of the Child and Youth Wellbeing Strategy commits DECYP to develop an Aboriginal-led case management model for children in care in partnership with ACCOs. DECYP do report, as they did in the previous review, that they are trialling service packages in the South of the State as a precursor to a case management model that is delivered by ACCOs (DECYP 2024). More fulsome changes to policy and practice will therefore likely be needed to truly realise an Aboriginal-led case management model. The Nukara Strategy includes an action to review current TAC and DECYP policies, procedures, and practices to prioritise the voice, choice, and wellbeing of Aboriginal and Torres Strait Islander children, and to ensure culturally safe approaches are embedded, including adherence to the Child Placement Principle.

### Legislative reform to enable participation

As highlighted in the previous implementation review, the lack of participation of Aboriginal and Torres Strait Islander peoples in child protection decision-making attracted significant attention from the Commission of Inquiry. It highlighted that currently, the *Children, Young Persons and Their Families Act 1997 (Tas)* does enable the Minister to declare Aboriginal organisations that should be included in decision-making processes, but this mechanism ‘appears unused’ (Commission of Inquiry 2023, p.149).

Consequently, the Commission of Inquiry called for amendments to the *Children, Young Persons and Their Families Act 1997* to strengthen the role of recognised Aboriginal and Torres Strait Islander organisations in decisions affecting Aboriginal and Torres Strait Islander children (Recommendation 9.15d). It would mandate consultation with Aboriginal and Torres Strait Islander organisations for significant decisions, including child removal and placement, and require their involvement in FGCs, case planning, and cultural support. Additionally, it proposes a statutory framework, co-designed with Aboriginal and Torres Strait Islander communities, to transfer child safety decision-making authority to Aboriginal and Torres Strait Islander organisations.

The goal is to ensure culturally informed, community-led approaches that prioritise Aboriginal and Torres Strait Islander children's wellbeing and connection to culture and community. The Nukara Strategy supports this vision through an objective to establish legislation and policies that enable the progressive transfer of responsibilities to TAC, ensuring Aboriginal and Torres Strait Islander children are kept safe from harm while remaining connected to culture and community. As part of this, the Nukara Strategy includes an action to develop an Aboriginal and Torres Strait Islander-led decision-making framework, with an initial step being the formal recognition of the TAC as a recognised Aboriginal and Torres Strait Islander organisation under relevant legislation.

The Commission of Inquiry also made other recommendations that, if implemented, would enable these legislative mechanisms to be effectively used. Recommendation 9.15e focuses on strengthening the role of Aboriginal and Torres Strait Islander organisations in child safety and OOHC decisions. It proposes partnering with Aboriginal and Torres Strait Islander communities to establish and support recognised organisations with local knowledge to facilitate Aboriginal and Torres Strait Islander children's and families' participation in decision-making. It also calls for developing models to transfer child safety decision-making authority to these organisations and ensuring they are properly resourced, trained and supported to manage their responsibilities, including cultural support planning and the transition of decision-making powers. The Tasmanian Government accepted recommendations 9.15e and 9.15d, stating implementation would be complete by July 2029.

## Connection

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

Protecting Aboriginal and Torres Strait Islander children's rights to cultural connection requires:

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

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

## Reunifications

In 2022-23, 7.8% of Aboriginal and Torres Strait Islander children were reunified from OOHC in Tasmania, a decrease from a rate of 9.5% in 2021-22 (AIHW 2024b, Table 10.15). Comparably, 6.3% of non-Indigenous children were reunified from OOHC in 2022-23 (AIHW 2024b, Table 10.15).

**Table 6 – Proportion of children in OOHC who were reunified**

	2020-21	2021-22	2022-23
<b>Aboriginal and Torres Strait Islander children</b>	5.8	9.5	7.8
<b>Non-Indigenous children</b>	9.1	6.5	6.3

Source: AIHW 2024b, table 10.15.

Children who are reunified with their families from OOHC occasionally return to care, but this is not the case for the majority of children. Whether or not a child returns to OOHC is significant because it is a potential indicator of whether the supports provided to the family has been effective for the family in the long-term. AIHW reports this data by whether a child returned to OOHC within 12 months after exiting to reunification, excluding those aged 17 who will transition out of care within 12 months and will no longer be in scope for OOHC (AIHW, 2024b).

However, this data was not published due to small numbers and confidentiality. In the most recent year Tasmanian data was publishable (2019-20), 80.6% of Aboriginal and Torres Strait Islander children who had been reunified did not return to care within 12 months. This is slightly below the national average in the same year (83.2%), and is consistent with the rate for non-Indigenous children in Tasmania (83.1%) (2024b: Table 10.19).<sup>8</sup>

## Use of Long-Term and Permanent Care Orders

Children on long-term guardianship custody orders (GCOs) and third-party parental responsibility orders (TPPROs)<sup>9</sup> are considered unsuitable for reunification, due to the fact that they are on orders that typically last until they are 18 years old—reflecting policymakers' desire for permanent outcomes.

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

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

Nationally, 73% of Aboriginal and Torres Strait Islander children in OOHC in 2021–22 were on long-term GCOs and TPPROs (AIHW 2024c, S4.10). This means the majority of Aboriginal and Torres Strait Islander children in OOHC are on orders that do not prioritise reunification. The high number of these orders indicates a systemic drive towards long-term and permanent care orders for Aboriginal and Torres Strait Islander children, over and above supporting successful and sustainable reunification.

There were no Aboriginal and Torres Strait Islander children in Tasmania adopted during 2022-23. In line with the 'small number suppression policy' outlined in the DECYP Data Sharing Protocols and to protect the privacy of individuals to whom it relates, 2023-24 data is unavailable.

## Cultural support plans

During 2023–24, there was no legislative requirement for Aboriginal and Torres Strait Islander children to have cultural support plans in Tasmania (Commission of Inquiry 2023, p.152).

Recommendation 9.15g from the Commission of Inquiry recommended that every Aboriginal and Torres Strait Islander child have a cultural support plan, prepared by or with the involvement of an Aboriginal and Torres Strait Islander organisation or person, and that these plans be regularly reviewed. The Tasmanian Government accepted this recommendation and committed to delivery by 2029.

AIHW reports proportions of Aboriginal and Torres Strait Islander children with a current cultural

<sup>8</sup> The source for these calculations has changed from previous years' reviews, due to changes in AIHW reporting. Source data is from Table 10.15 of the Aboriginal and Torres Strait Islander data table from Child Protection Australia 2021–22 (which includes reunifications for children on long-term orders) while previous reviews drew from Table S2.3a from the ATSCPP Supplementary tables 2022 released by AIHW (which excludes reunifications for children on long-term orders).

<sup>9</sup> In this review, we adopt the nationally standard terms long-term Guardianship Custody Orders (GCOs) and Third-Party Parental Responsibility Orders (TPPROs) to refer to Care and Protection Orders under section 42 of the Children, Young Persons and Their Families Act 1997 (Tas).

support plan in Tasmania, but note that these are actually 'case plans' which have cultural need as one domain of the plan (AIHW 2024a). This is therefore not an accurate indicator of cultural support plans for comparison with other jurisdictions. DECYP have also noted there are issues with their data reporting on case plans themselves, which they are working to resolve with a new Case and Care Planning approach that began in 2021 (DECYP 2024).

Data on genograms for Aboriginal and Torres Strait Islander children in Tasmania is also not available (DECYP 2024). There is an action in the Nukara Strategy that will address this gap, which is the development and implementation of clear processes for family-finding and the creation of genograms, to ensure a stronger understanding of cultural and family connections for Aboriginal and Torres Strait Islander children.

### Support programs

DECYP reports that Child Safety Service is working with Aboriginal organisations to deliver individualised service packages to support Aboriginal children and young people in contact with the child protection system have culturally appropriate support to facilitate restoration (DECYP 2024).

A specific program that DECYP is currently considering next steps for is the Wellbeing in Care Recovery Placement program, where Aboriginal and Torres Strait Islander children in OOHC can participate in visits to Country to maintain and develop cultural and community connections. In 2022-23, DECYP conducted a grants process that resulted in no selection of a provider for the program, and DECYP are currently considering next steps in light of this (DECYP 2024). The TAC has not been engaged in the development of this program and is not aware of the details of the grants process or the current status of the initiative.

Another program being progressed is an independent community visitor scheme for children in OOHC, which was recommended by the Commission of Inquiry and which the Tasmanian Government has committed to implement by 2029.

## Conclusion

In examining the progress of the Tasmanian Government towards implementing the full intent of the Aboriginal and Torres Strait Islander Child Placement Principle, this review has found that overall significant reforms are still needed, along with sustained increases in investment in the ACCO sector. The Commission of Inquiry and *Keeping Children Safe and Rebuilding Trust* strategy brought much-needed reform to the sector; however, unfortunately, there is more work to be done to enable active implementation of the Child Placement Principle, given the ongoing over-representation of Aboriginal and Torres Strait Islander Children in contact with the child protection system and in OOHC in Tasmania.

The continued over-representation of Aboriginal children in OOHC in Tasmania 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 Tasmanian Government's commitment to establishing an independent Tasmanian Commissioner for Aboriginal Children and Young People works toward the fulfilment of the partnership element. Despite this, greater commitment to independent Aboriginal leadership and oversight is critically needed to enable system accountability, as demonstrated in the Tasmanian Government's response to the recommendations of the Commission of Inquiry.

An increase in the number of Aboriginal and Torres Strait Islander children in OOHC being placed with relatives/kin indicates that implementation of the placement principle is improving, yet remains below the national average. 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 the Sure Start Action Plan, the Change for Children Strategy, and the Strong Families Safe Kids Advice and Referral Line. This review hopes that moving forward, programs such as these are expanded and further developed under the leadership of the Tasmanian ACCO sector and Aboriginal communities.

## Reference list

**AIHW (Australian Institute of Health and Welfare), 2024a.** Child protection Australia 2021–22. Data tables: Aboriginal and Torres Strait Islander children 2021–22. Canberra: AIHW.

**AIHW (Australian Institute of Health and Welfare), 2024b.** Child protection Australia 2022–23. Canberra: AIHW.

**CCYP (Commissioner for Children and Young People Tasmania), 2024.** “Nowhere else to go”: Young people’s views on homelessness. A Voices of Young People in the Youth Justice System Project Report. Hobart: CCYP Tasmania. Available at: <https://childcomm.tas.gov.au/wp-content/uploads/2024/05/Voices-Project-Nowhere-else-to-go.pdf> [Accessed 25 Feb. 2025].

**Commission of Inquiry, 2023.** [No title provided].

**DPC (Department of Premier and Cabinet), 2024.** Homes Tasmania Review. Hobart: Department of Premier and Cabinet. Available at: <https://www.premier.tas.gov.au/latest-news/2024/november/homes-tasmania-review> [Accessed 25 Feb. 2025].

**DECYP (Department for Education, Children and Young People), 2023.** Feel Safe. Are Safe. Our practice approach – DECYP. Hobart: Tasmanian Government.

**DECYP (Department for Education, Children and Young People), 2024.** Response to SNAICC request for information for Family Matters Report and ATSICPP implementation review. Hobart: DECYP.

**DECYP (Department for Education, Children and Young People), 2024b.** Strong Families Safe Kids: Next Steps. Hobart: DECYP. [Accessed 25 Feb. 2025].

**DECYP (Department for Education, Children and Young People), 2024c.** Sure Start Action Plan. Hobart: DECYP. [Accessed 25 Feb. 2025].

**DECYP (Department for Education, Children and Young People), 2024d.** Review of the state’s education system. Hobart: DECYP. [Accessed 25 Feb. 2025].

**DECYP (Department for Education, Children and Young People), 2024e.** Larapi Child and Family Learning Centre officially opened. Hobart: DECYP. [Accessed 25 Feb. 2025].

**Department of Premier and Cabinet (DPC), 2024.** Truth-Telling and Treaty. Hobart: DPC. Available at: <https://www.dpac.tas.gov.au/divisions/cpp/aboriginal-partnerships/truth-telling-and-treaty> [Accessed 25 Feb. 2025].

**Department of Justice (DOJ), 2024.** Community Consultations, Commission for Children and Young People Bill 2024. Hobart: DOJ.

**Tasmanian Aboriginal Centre (TAC), 2024.** Treaty: Background Information. [online] Available at: <https://tacinc.com.au/campaign/treaty/> [Accessed 25 Feb. 2025].

**Morse, C., 2022.** Chair of Tasmanian Aboriginal delegation rejects legitimacy of state government’s Aboriginal advisory group. National Indigenous Times.

**SCRGSP (Steering Committee for the Review of Government Service Provision), 2025.**

Report on Government Services 2025, Part F Section 16: Child Protection Services. Canberra: Productivity Commission. [Accessed 4 Feb. 2025].

**SNAICC – National Voice for our Children, 2024.** Family Matters 2024. Melbourne: SNAICC.

**SNAICC – National Voice for our Children, 2024b.** Reviewing Implementation of the ATSICPP 2021–23: Tasmania. Melbourne: SNAICC.

**Tasmania Aboriginal Centre (TAC), 2025,** *Nukara Strategy*. Hobart: TAC.

**Tasmanian Government, 2021.** It takes a Tasmanian village: Child and Youth Wellbeing Strategy. Hobart: Tasmanian Government. [Accessed 25 Feb. 2025].

**Tasmanian Government, 2023a.** Keeping Children Safe and Rebuilding Trust: Government Response to the Report of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. Hobart: Tasmanian Government. [Accessed 25 Feb. 2025].

**Tasmanian Government, 2023b.** Keeping Children Safe [website]. [Accessed 25 Feb. 2025].

**Tasmanian Government, 2023c.** Budget 2023–24, Budget Paper No. 2, Volume 1. Hobart: Tasmanian Government. [Accessed 25 Feb. 2025].

**Tasmanian Government, 2024.** Budget 2024–25, Budget Paper No. 2, Volume 1. Hobart: Tasmanian Government. [Accessed 25 Feb. 2025].

**Tasmanian Government, 2024a.** Child and Youth Wellbeing Strategy: Annual Report 2023. Hobart: Tasmanian Government.

**Tasmanian Government, 2024b.** Immediate change: Recommendations to be implemented by 1 July 2024 (Phase 1) Progress Report. Hobart: Tasmanian Government.

**Tasmanian Government, 2024c.** Change for Children: Tasmania's 10-year Strategy for upholding the rights of children by preventing, identifying and responding to child sexual abuse. Hobart: Tasmanian Government. [Accessed 27 Feb. 2025].

**Tasmanian Government, 2024d.** Tasmanian Government Response to Disability Royal Commission. Hobart: Tasmanian Government. [Accessed 27 Feb. 2025].

**Tasmanian Government, 2024e.** Child and Youth Wellbeing Strategy Annual Report 2024. Hobart: Tasmanian Government.

**Tasmanian Government, 2024f.** Monitor Bill passes Parliament [media release, 28 June 2024]. Hobart: Tasmanian Government. [Accessed 27 Feb. 2025].

**Tasmanian Government, 2024g.** Appointment of Child Safety Implementation Monitor [media release, 2 December 2024]. Hobart: Tasmanian Government. [Accessed 27 Feb. 2025].

**Tasmanian Government**, 2025, Government to focus efforts on Closing the Gap [media release]. Hobart: Tasmanian Government. [Accessed 16 October 2025].

**TasCOSS, 2024.** About Community Kinship Care. FindHelpTas. [online] Available at: <https://www.findhelptas.org.au> [Accessed 25 Feb. 2025].

**Wright, A., Gray, P., Selkirk, B., Hunt, C. and Wright, R., 2024.** Attachment and the (mis)apprehension of Aboriginal children: epistemic violence in child welfare interventions. *Psychiatry, Psychology and Law*, pp.1–25. doi:10.1080/13218719.2023.2280537.