

ALS calls for urgent legislative reform to support Aboriginal children

The Aboriginal Legal Service NSW/ACT Limited ('ALS') has welcomed the release of the NSW Government's response to the Family Is Culture Report but believes more must be done to support and empower Aboriginal children and families.

The Family Is Culture Review, led by Professor Megan Davis, examined the circumstances of 1,144 Aboriginal children who entered care in 2015-16. The Report provided a clear blueprint for reform in NSW with a central focus on self-determination, transparency and early intervention. The NSW Government's response, released yesterday, proposes three key reforms – the appointment of an Aboriginal Deputy Children's Guardian, the formation of an advisory group selected by the Minister, and the formation of an internal taskforce to work with Aboriginal communities to drive implementation of the recommendations.

ALS' CEO Karly Warner said: "We strongly support increased oversight of the child protection system and welcome the NSW Government's announcement of the creation of an Aboriginal Deputy Children's Guardian, who must have standalone and independent powers.

"However, a significant number of the recommendations of the Family Is Culture report remain unaddressed by the Government's response. In particular, the ALS is concerned that critical legislative reforms to safeguard Aboriginal children and promote active steps to support families have been delayed until 2024.

"A key theme of the Report was the importance of Aboriginal self-determination, and yet over the last 7 months the Government has failed to engage with Aboriginal communities and organisations in developing their response. We know that real change for Aboriginal children and communities will only be achieved when we are empowered to design and deliver our own solutions.

The ALS is concerned that the Government's response does not go far enough in providing comprehensive accountability and supporting the critical structural and cultural changes that the Report recommended.

Ms Warner added: "Within NSW there is currently a lack of mandated early intervention engagement with families. We urge the Minister to meaningfully pursue legislative reforms as a matter of urgency, rather than subjecting more children and families to inadequate legal protections while we wait four years for another review.

"The experiences of the children covered by the review, and those of the children that the ALS represents in court every day, deserve urgent action – not hand-balling off to a future parliament."

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