



Child Safety Inquiry –

Protecting and implementing the Aboriginal and Torres Strait Islander Child Placement Principle

Submission from the IUIH Network

March 2026



Moreton
ATSICHS



Yulu-Burri-Ba
Aboriginal Corporation for Community Health



KALWUN



PAMELA MAM
HEALTH CENTRE

Acknowledgement of Country

We respectfully acknowledge the Traditional Custodians of the lands of the many Goori Nations, whose ancestral lands and waters we have the privilege to live and work across here in Southeast Queensland.

We pay our deepest respects to their Elders, past and present, and recognise their continuing connection to culture, community, and Country.

The Institute for Urban Indigenous Health (IUIH) Network acknowledges and pays our deepest respects to Elders past and present throughout the country. We recognise and acknowledge the sovereignty of Aboriginal and Torres Strait Islander people as the original custodians of the country. We also extend our respect to all Aboriginal and Torres Strait Islander peoples and acknowledge their unique and valuable contributions to our society.

Terminology

Throughout this submission, the terms Aboriginal and Torres Strait Islander, First Nations and Indigenous are used interchangeably with respect towards the diversity of cultures and identities across Queensland and Australia.

Aboriginal and Torres Strait Islander cultures are persistent and enduring, continuing unbroken from the past to the present, characterised by resilience and a strong sense of purpose and identity despite the undeniably negative impacts of colonisation and dispossession. Aboriginal and Torres Strait Islander people throughout the country represent a diverse range of people, communities and groups, each with unique identities, cultural practices and spiritualities. We recognise that past and present practices and policies have significantly impacted the current health status of Aboriginal and Torres Strait Islander people.

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Abbreviations

AMS	Aboriginal Medical Service
ATSICHS Brisbane	Aboriginal and Torres Strait Islander Community Health Service, Brisbane
ATSICPP	Aboriginal and Torres Strait Islander Child Placement Principle
BiOC	Birth in Our Community
CHQ	Children’s Health Queensland
CSO	Child Safe Organisation
ED	Emergency department
FC4F	Family Caring for Family program (ATSICHS Brisbane)
FLDM	Family Led Decision Making
IUIH	Institute for Urban Indigenous Health
Kalwun	Kalwun Development Corporation
MATSICHS	Moreton Aboriginal and Torres Strait Islander Health Service
OOHC	Out-of-home care
QATSICPP	Queensland Aboriginal and Torres Strait Islander Child Protection Peak
WAYS	Wrap Around Youth Service
Yulu-Burri-Ba	Yulu-Burri-Ba Aboriginal Corporation for Community Health

About UIIH & UIIH Network

Established in 2009, the Institute for Urban Indigenous Health (UIIH) is a regional, non-for-profit Aboriginal and Torres Strait Islander Community Controlled Health Organisation constituted by three Community Controlled Health Organisations in South East Queensland:

- Aboriginal and Torres Strait Islander Community Health Service Brisbane (ATSICHS Brisbane)
- Kalwun Development Corporation (Kalwun)
- Yulu-Burri-Ba Aboriginal Corporation for Community Health (Yulu-Burri-Ba)

Collectively, these organisations are known as the UIIH Network. Each UIIH Network organisation retains its own governance, with UIIH acting as the regional ‘backbone’ for the Network.

UIIH also operates the Moreton Aboriginal and Torres Strait Islander Health Service (five clinics), the Pamela Mam Health Centre (Goodna) and a Registered Training Organisation: EMPOWA Training.

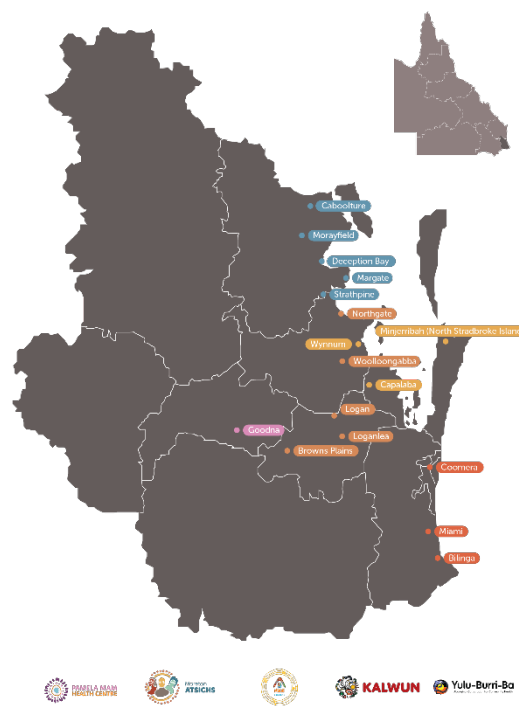
This regional approach is a contemporary renewal of traditional ways of belonging, when for thousands of years, Aboriginal clans, tribes and communities across our region had come together to achieve shared and cross-territorial goals.

The UIIH Network service footprint is in Australia’s largest and second fastest growing Indigenous region. Nationally, nearly 1 in 8 Aboriginal and Torres Strait Islander people live in South East Queensland and in 2025 the region has an estimated Aboriginal and Torres Strait Islander population of 127,869 persons, projected to grow to 148,902 persons by 2031.¹

Through regional planning, service development, advocacy, purchasing and commissioning, alongside a coordinated approach to service delivery known as the *UIIH System of Care*, UIIH works with and for its Network partner organisations to achieve transformational change for our community, including:

- increasing the number of clinics operated by the UIIH Network from 5 to 17
- increasing regular clients from 8,000 to over 40,000
- closing the health-adjusted life expectancy gap 2.3 times faster than predicted trajectories²
- employing over 1000 staff, with half identifying as Aboriginal and Torres Strait Islander

The UIIH Network has vast experience working with Aboriginal and Torres Strait Islander children and families in child protection matters across South East Queensland (Appendix 1). The UIIH Network focuses on strengthening and empowering our families – *on their terms* – to prevent and respond to child protection matters. Child Safety interface, and the risk of Child Safety involvement, has tremendous health and wellbeing consequence on our families and across generations.



¹ Australian Bureau of Statistics (2024) *Estimates and Projections, Aboriginal and Torres Strait Islander Australians: Estimates and projections of the Aboriginal and Torres Strait Islander population for 2011-2031* (Table 21). Brisbane Indigenous Region (IREG), medium series estimates.

² Independent Study Dr Stephen Begg, LaTrobe University.

Background to the UIH Network submission

It has been more than a decade since the last State Government Inquiry into Queensland’s child protection system (the Carmody Inquiry, 2012) but there has been little felt impact or tangible change for Aboriginal and Torres Strait Islander children, young people, their families, their Communities **It is unconscionable that Aboriginal and Torres Strait Islander children and young people in Queensland continue to be disproportionately overrepresented in the State’s child protection system.**³ Thus, the work of *this* Commission of Inquiry is time critical.

The forcible removal by government of any child from their home remains one of the most devastating life events, and the forcible separation of an Aboriginal and Torres Strait Islander child from their family, kin, and community into OOHC should be an intervention of absolute last resort.⁴

Aboriginal and Torres Strait Islander children removed from their families experience poorer psychological, physical, and social outcomes than their non-Indigenous counterpart.⁵

Cultural connection is a fundamental protective factor in child development for Aboriginal and Torres Strait Islander children and young people; and especially for Aboriginal and Torres Strait Islander children and young people in OOHC.⁶

It is painfully obvious to Aboriginal and Torres Strait Islander Communities why OOHC for Aboriginal and Torres Strait Islander children and young people must be led by Community-Controlled service providers.⁷ **Aboriginal and Torres Strait Islander Community-Controlled Organisations throughout Queensland are best equipped to protect and promote the cultural connection and safety of Indigenous children and young people in OOHC, and the Community-Controlled sector must play a leadership role.**⁸ Where a child has been removed, “*priority and resources must be given to working with families and Community-Controlled organisations to achieve family reunification or finding supportive kin who can care for the child*”.⁹ Governments (State and Federal) have committed, through Closing the Gap, to systematic and structural transformation of mainstream government agencies and institutions to ensure they are culturally safe and responsive to the needs and priorities of Aboriginal and Torres Strait Islander people.

A critical step is transitioning leadership of child protection matters that are about us to us.

³ Our children and young people are more than 5 times as likely to have a child protection notification and over 10 times as likely to be in out-of-home care (OOHC) or subject to a third-party parental responsibility order compared to non-Indigenous children: See SNAICC – National Voice for our Children (2024) *Family Matters Report 2024*. Available: <https://www.snaicc.org.au/wp-content/uploads/2025/02/250207-Family-Matters-Report-2024.pdf>.

⁴ Sammut J (2010) The fog of child protection politics. *Journal of Public Policy* 26(2):41–44; UN Convention on the Rights of the Child (1989).

⁵ Barber JG et al (2000) Aboriginal and non-Aboriginal children in out-of-home care. *Children Australia* 25(3):5–10.

⁶ Krakouer J et al (2022) Resistance to Assimilation: Expanding Understandings of First Nations Cultural Connection in Child Protection and Out-of-home Care. *Australian Social Work Journal* 76(3):343–357; Hunter SA et al (2021) A conceptual model of protective factors within Aboriginal and Torres Strait Islander culture that build strength. *Journal of Cross-Cultural Psychology* 52(8–9):726–751; Krakouer J et al (2018) “We live and breathe through culture”: Conceptualising cultural connection for Indigenous children in out-of-home care. *Australian Social Work Journal* 71(3):265–276.

⁷ See (e.g.) Bath H & Seita J (2018) *The three pillars of transforming care*. UW Faculty of Education Publishing, The University of Winnipeg: Canada; Anaya J (2010) Observations on the Northern Territory emergency response in Australia (February 2010). UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people. Available: https://www.ncca.org.au/files/Natsiec/NTER_Observations_FINAL_by_SR_Anaya_.pdf; Perche D (2017) Ten Years on, it’s time we learned the lessons from the failed northern territory intervention. *The Conversation* (Online) (June 26).

⁸ Creamer S et al (2022) Indigenous services leading the way for Aboriginal and Torres Strait Islander children in out-of-home care. *Social Work and Education Journal* Available: <https://doi.org/10.1080/02615479.2022.2155129>.

⁹ Lewis N (2025) Submission to the Commission of Inquiry into Queensland’s Child Safety System | *Adequacy of existing complaints systems, procedures, and incident reporting guidelines for children under the care of the state*. 1 August 2025.

The UIIH Network is committed to reducing the over-representation of Indigenous children in Queensland’s child protection system. We know that the current child protection system is not working for Community. We support collective efforts to achieve the ‘Our Way’ vision that all Aboriginal and Torres Strait Islander children and young people in Queensland grow up safe and cared for in Family, Community, and Culture.¹⁰

As a collective body of Aboriginal and Torres Strait Islander community-controlled health organizations, the UIIH Network supports Aboriginal and Torres Strait Islander children and families who are navigating child protection involvement, OOHC and, in many cases, contact with the youth justice system. Aboriginal and Torres Strait Islander children continue to be significantly overrepresented in both the child protection *and* youth justice systems. This overrepresentation is not the result of cultural failure or poor parenting, but reflects the ongoing impacts of colonization, intergenerational trauma, systemic racism and policies that continue to separate children from family, culture and community.

The following submission is informed by extensive consultation with UIIH Network partner organisations ATSIHCHS Brisbane, Moreton ATSIHCHS, Yulu-Burri-Ba and Kalwun. A broad cross-section of staff who interface with Child Safety have been consulted, including General Managers, Kinship Care Managers, Youth Services Managers, UIIH Legal Services Manager, Clinic Practice Managers, and Healthcare Quality and Safety Coordinators. The perspectives shared in this submission are grounded in lived experience, cultural knowledge, and frontline practice.

This submission serves to reinforce to the Commission of Inquiry the significance of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) that is embedded as a matter of law in the *Child Protection Act 1999* (Qld), and how and why the effective implementation of the ATSICPP in Queensland’s child protection system is critical for Aboriginal and Torres Strait Islander children, young people and families.

¹⁰ Queensland Government. *Our Way | A generational strategy for Aboriginal and Torres Strait Islander children and families 2017 – 2037*. Available: <https://www.families.qld.gov.au/media/documents/aboriginal-torres-strait-islander-families/supporting-families/our-way.pdf>. The second implementation phase of Our Way, *Breaking Cycles 2023-2031*, builds on the foundations for transformational change in the child protection system set under the earlier *Changing Tracks* actions plans, with a focus on changing the way that services are designed, developed and delivered in partnership with Aboriginal and Torres Strait Islander children, young people and families by government and non-government organisations. However, these words on paper need to be put into practice.

IUIH Network Recommendations

Recommendation 1: That the Child Safety Commission of Inquiry acknowledge that the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) and its five interconnected elements of Prevention, Partnership, Placement, Participation and Connection, plays a critical role in child protection legislation and practice for Aboriginal and Torres Strait Islander families in Queensland.

Recommendation 2: That the Child Safety Commission of Inquiry acknowledge the many benefits of an effectively applied ATSCIPP, such as the ATSICPP helping to strengthen prevention and the reduction of unnecessary and improper child removals; improving child placement stability; supporting culturally safe decision-making; strengthening partnerships with Aboriginal and Torres Strait Islander Community-Controlled Organisations; protecting the connection to identity, culture and Country for better long-term outcomes for Aboriginal and Torres Strait Islander children; supporting an effective, prevention-focused child protection system; and helping to address the overrepresentation of Aboriginal and Torres Strait Islander children in OOHC.

Recommendation 3: That the Child Safety Commission of Inquiry affirmatively acknowledge the important place and prescription that the ATSICPP has in Queensland law, notably in the *Child Protection Act 1999* (Qld), and as affirmed under the *Human Rights Act 2019* (Qld), specifically the intersectional and interdependent rights found in *section 26 - Protection of families and children* and *section 28 Cultural rights—Aboriginal peoples and Torres Strait Islander peoples* of that Act.

Recommendation 4: That the Child Safety Commission of Inquiry acknowledge the importance of consistent implementation of the ATSICPP by all Australian States and Territories, including Queensland, to achieve the National Agreement on Closing the Gap and the National and State Principles and Laws for Child Safe Organisations.

Recommendation 5: To build trust among Aboriginal and Torres Strait Islander peoples and families who are over-represented in Queensland's broken child protection system, the Queensland Government must prioritise adequate, fit-for-purpose resource and investment in Aboriginal and Torres Strait Islander Community-Controlled Organisations throughout Queensland. The Community-Controlled sector has a foundational, leading role to play in effective ATSICPP implementation if the current children protection system is to transform and effectively meet the needs of Aboriginal and Torres Strait Islander children and families now, and well into the future.

IUIH Network submission

The significance and centrality of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) must be valued and prioritised; not eroded

The IUIH Network seeks to make clear to the Child Safety Commission of Inquiry that the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) and its five interconnected elements of Prevention, Partnership, Placement, Participation and Connection, play a critical role in child protection legislation and practice for Aboriginal and Torres Strait Islander families in Queensland.

The five interconnected elements work together to reduce the over-representation of Aboriginal and Torres Strait Islander children in OOHC while ensuring they remain connected to family, community, culture, and Country:

Prevention -

Supporting families early to prevent unnecessary removal, redressing the drivers of risk

Partnership -

Genuine collaboration with Aboriginal and Torres Strait Islander communities and organisations

Placement -

Prioritising care with family, kin or community where removal is necessary

Participation -

Ensuring children, families and communities have a voice in decisions that impact upon them

Connection -

Maintaining ongoing connection to culture, identity, family and Country

The commitment to - and the doing of - implementing, monitoring and reviewing each of the five ATSICPP elements by all stakeholders in Queensland's child protection system is a basic test of whether Queensland's child protection system is functioning effectively, responsibly and accountably in the best interests of Aboriginal and Torres Strait Islander children and young people.

Recommendation 1: That the Child Safety Commission of Inquiry acknowledge that the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) and its five interconnected elements of Prevention, Partnership, Placement, Participation and Connection, plays a critical role in child protection legislation and practice for Aboriginal and Torres Strait Islander families in Queensland.

Why the ATSICPP was established and its aims

Aboriginal and Torres Strait Islander children have the right to grow up safe, loved and connected to their families, communities and culture.

The ATSICPP is a critical safeguard designed to protect that right and must not be weakened.

“Just like my Nan, and her ancestors before her, we just want our children to grow up safe, connected to culture, with a sense of belonging to their families and communities. Isn’t that what all children deserve?”¹¹

The ATSI CPP was developed in recognition of the devastating impact of the forced separation of Aboriginal and Torres Strait Islander children from their families, communities and culture, which was driven by discriminatory and racist legislation and policy in all Australian jurisdictions.¹² Queensland’s current child protection system emanates from a legislated, explicit State aim of assimilating and eliminating First Nations people by forcibly separating families and decimating the identity, language and culture of Aboriginal and Torres Strait Islander children.¹³

Consequently, “The ongoing overrepresentation of our *children* in ‘child protection’ systems does not so much reflect inherent risks in our families as it does the systemic failures and harm being imposed on our children and families”.¹⁴

The ATSI CPP was established to ensure Aboriginal and Torres Strait Islander children are not part of another Stolen Generation, as well as to identify and address the systemic racism deeply embedded in the policies, institutes, workforce, and the wholesale practice of historic child removals. The five interconnected ATSI CPP elements thus emphasise both *prevention of entry into OOH* and *reunification*, as well as stress that Aboriginal and Torres Strait Islander families and communities *must participate in child protection decision-making about their children’s wellbeing, care and protection* to ensure culturally connected and safe placements. Cultural connection and child safety and wellbeing are mutually reinforcing for Aboriginal and Torres Strait Islander communities - and have been for tens-of-thousands of years. On colonised lands, the aim of the ATSI CPP is to keep children connected to their families, communities, cultures and Country. Its objectives include:

- ***recognition and protection of the rights of Aboriginal and Torres Strait Islander children, family members and communities in child protection matters***
- ***self-determination for Aboriginal and Torres Strait Islander people in child protection matters***
- ***reduction in the disproportionate representation in the child protection system of Aboriginal and Torres Strait Islander children and young people.***

The ATSI CPP has many benefits

The ATSI CPP strengthens prevention and reduces unnecessary removals

When properly considered and applied, the ATSI CPP encourages families and all appropriate stakeholders to engage early with family, kin and community supports - especially supports provided by Aboriginal and Torres Strait Islander Community-Controlled Organisations - to help stabilise, strengthen and meaningfully support Aboriginal and Torres Strait Islanders families and prevent unnecessary removals of children into statutory care.

¹¹ Hunter S-A for IndigenousX (2020) *Too many Aboriginal children are growing up disconnected from their Mob, Country and culture* (Nov 19). The Guardian (Australia). Available: <https://www.theguardian.com/commentisfree/2020/nov/19/too-many-aboriginal-children-are-growing-up-disconnected-from-their-mob-country-and-culture>.

¹² SNAICC. Aboriginal and Torres Strait Islander Child Placement Principle (website). Available: <https://www.snaicc.org.au/our-work/child-and-family-wellbeing/child-placement-principle/>.

¹³ Frankland K (1994) A Brief History of Government Administration of Aboriginal and Torres Strait Islander Peoples in Queensland. Extract from Records Guide Volume 1: A Guide to Queensland Government Records Relating to Aboriginal and Torres Strait Islander People. Queensland State Archives and Department of Family Services and Aboriginal and Islander Affairs, 1994. Available: https://www.qld.gov.au/data/assets/pdf_file/0034/429937/brief-history-aboriginal-islanders-qld.pdf; Bringing Them Home Report 1997. Available: <https://humanrights.gov.au/resource-hub/by-resource-type/books/bringing-them-home-report-1997>.

¹⁴ Tilmouth W, Doolan V, Vadiveloo J, Lorains, J (2025) Apmerengentyele—Our Systems, Our Children, Our Safety, Our Wellbeing. *Genealogy* 9(3):95.

The ATSCIPP improves placement stability

Children placed with kin, extended family or culturally connected carers are more likely to experience:

- placement stability
- continuity of relationships
- stronger identity and belonging
- resilience

These factors are associated with better long-term wellbeing outcomes.

The ATSCIPP supports culturally safe decision-making

The ATSCIPP ensures that Aboriginal and Torres Strait Islander perspectives, knowledge and cultural authority are incorporated into decisions about First Nations children’s safety and care. The ATSCIPP thus supports a far more informed, culturally appropriate decision-making process. An effective system of care for First Nations children in Queensland is best achieved where Aboriginal and Torres Strait Islander cultural systems of child and family wellbeing and safety *ground and lead* decision-making practice.

The ATSCIPP strengthens partnership with Aboriginal and Torres Strait Islander Community Controlled Organisations

The ATSCIPP directs for shared decision-making and partnership with Aboriginal and Torres Strait Islander Community-Controlled Organisations, who are best placed to provide culturally safe supports and services for *and with* First Nations children and families.¹⁵ This aligns with the broader policy shift toward Community-led solutions and self-determination.

The ATSCIPP protects children’s connection to identity, culture, and Country for better long-term outcomes

Connection to family, kin, culture, and Country is not just a cultural issue — it is a *known protective factor* for social and emotional wellbeing, resilience, and identity development for Aboriginal and Torres Strait Islander children.¹⁶ The evidence consistently shows that maintaining cultural connection and family relationships contributes to:

- improved mental health
- stronger identity development
- reduced disconnection and trauma
- better transition to adulthood

For Aboriginal and Torres Strait Islander children, cultural connection is inseparable from safety.¹⁷

The ATSCIPP supports an effective, prevention-focused child protection system

Rather than relying primarily on statutory intervention, the ATSCIPP aligns with modern, rights-based child protection policies and approaches that prioritise:

- early intervention

¹⁵ Mackean T, Freeman T, Musolino C, Fry D, MacDougall C, Lewis V, Baum F (2025) Leading the way: the contribution of Aboriginal community controlled health organisations to community health in Australia. *Australian Journal of Primary Health* 31:PY24223; Hunt J (2020) Let’s talk about success: Exploring factorings behind positive change in Aboriginal Communities. CAEPR Working Paper No.109/2016. Canberra: Centre for Aboriginal Economic Policy Research ANU; SNAICC (2023) Stronger ACCOs, Stronger Families Final Report. Available: https://www.snaicc.org.au/wp-content/uploads/2023/09/230502_8_Stronger-ACCOs-Stronger-Families-Report.pdf.

¹⁶ Please see Queensland’s ‘Our Way’ Strategy: <https://cabinet.qld.gov.au/documents/2017/May/OurWay/Attachments/Strategy.pdf>.

¹⁷ Krakouer J, Nakata S, Beaufils J, Hunter S-A, Corrales T, Morris H, Skouteris H (2023) Resistance to Assimilation: Expanding Understandings of First Nations Cultural Connection in Child Protection and Out-of-home Care. *Australian Social Work* 76(3):343–357.

- family strengthening
- Community-led solutions

We refer the Commission of Inquiry to the Queensland Government’s commitment to Community-led prevention and early intervention approaches cogently set out in *Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families 2017–2037*, and in the *National Framework for Protecting Australia’s Children 2021-2031*.¹⁸

Preventative approaches are culturally safe and effective.

A study into the UIIH Network’s Birthing in Our Community (BiOC) service that provides comprehensive wrap-around supports to empower and strengthen birthing Mums and families – some of whom are at risk of or already interfacing with the Department of Child Safety in South East Queensland - found that women carrying a First Nations baby and who are part of the BiOC service (opposed to a standard mainstream care service), were not only significantly less likely to have a preterm birth,¹⁹ but infant removal rates were significantly lower for BiOC mothers birthing at a Brisbane tertiary hospital.²⁰ **The preventative and early intervention approach integrated into the UIIH Network’s BiOC model exemplifies the ATSCIPP in action:** the Community-led service significantly reduces over-representation of Aboriginal and Torres Strait Islander newborns in OOHC and in so doing is likely to disrupt generational cycles of Department of Child Safety contact, trauma, while also contributing to short and long-term health and wellbeing benefits for mothers and babies.²¹

The ATSCIPP helps address the overrepresentation of Aboriginal and Torres Strait Islander children in OOHC

The ATSCIPP is a key mechanism for addressing the disproportionate representation of Aboriginal and Torres Strait Islander children in OOHC.

Recommendation 2: That the Child Safety Commission of Inquiry acknowledge the many benefits of an effectively applied ATSCIPP, such as the ATSCIPP helping to strengthen prevention and the reduction of unnecessary and improper child removals; improving child placement stability; supporting culturally safe decision-making; strengthening partnerships with Aboriginal and Torres Strait Islander Community-Controlled Organisations; protecting the connection to identity, culture and Country for better long-term outcomes for Aboriginal and Torres Strait Islander children; supporting an effective, prevention-focused child protection system; and helping to address the overrepresentation of Aboriginal and Torres Strait Islander children in OOHC.

¹⁸ The National Framework for Protecting Australia’s Children 2021–2031 was developed by the Australian Government, state and territory governments, with Aboriginal and Torres Strait Islander representatives and the non-government sector. Please see the ‘Safe and Supported’ National Framework: <https://www.dss.gov.au/child-protection/resource/national-framework-protecting-australias-children-2021-2031>.

¹⁹ Kildea S, Goa Y, Hickey S, Nelson C, Kruske S, Carson A, Currie J, Reynolds M, Wilson K, Watego K, Costello J, Roe Y (2021) Effect of a Birthing on Country service redesign on maternal and neonatal health outcomes for First Nations Australians: a prospective, non-randomised, interventional trial. *Lancet Global Health* 9:e651–59.

²⁰ O’Dea B, Roe Y, Gao Y, Kruske S, Nelson C, Hickey S, Carson A, Watego K, Currie J, Blackman R, Reynolds M, Wilson K, Costello J, Kildea S (2024) Breaking the cycle: Effect of a multi-agency maternity service redesign on reducing the over-representation of Aboriginal and Torres Strait Islander newborns in out-of-home care: A prospective, non-randomised, intervention study in urban Australia. *Child Abuse and Neglect* 149:106664.

²¹ Ibid; also see: Chamberlain C, Gray P, Bennet D, Elliot A, Jackomos M, Krakouer J et al (2022) Supporting Aboriginal and Torres Strait Islander Families to Stay Together from the Start (SAFeST Start): Urgent call to action to address crisis in infant removals. *Australian Journal of Social Issues* 57(2):252–273.

Importance of consistent implementation of the ATSICPP in Queensland and across Australia

It is imperative the ATSICPP continues to be implemented in Queensland as directed under law in the *Child Protection Act 1999* (Qld),²² and as affirmed under the *Human Rights Act 2019* (Qld), specifically the intersectional and interdependent rights found in *section 26 - Protection of families and children* and *section 28 Cultural rights—Aboriginal peoples and Torres Strait Islander peoples* of that Act.²³

Consistent implementation of the ATSICPP by *all* Australian States and Territories is crucial to meet Australia's commitments under the National Agreement on Closing the Gap and the respective National and State and Territory Principles and Laws for Child Safe Organisations.²⁴

Inconsistent application of the ATSICPP by one jurisdiction will create unequal protection standards and facilitate unsafe child protection approaches for Aboriginal and Torres Strait Islander children and families (depending on where they live), as well as avoidable and unnecessary child removals, placement instability, and harm. Furthermore, departure by an Australian jurisdiction from the ATSICPP would be in contravention of Australia's responsibilities under the *UN Declaration on the Rights of Indigenous Peoples 2008* and obligations under the *UN Convention on the Rights of the Child 1989*. Any erosion of the ATSICPP would also limit government and external stakeholder capability to assess whether child protection systems are actually doing what they are allegedly set up to do: improve the safety of Aboriginal and Torres Strait Islander children and young people. Therefore, any departure from the ATSICPP will not 'fix' but worsen an already broken child protection system in Queensland.

Recommendation 3: That the Child Safety Commission of Inquiry affirmatively acknowledge the important place and prescription that the ATSICPP has in Queensland law, notably in the *Child Protection Act 1999* (Qld), and as affirmed under the *Human Rights Act 2019* (Qld), specifically the intersectional and interdependent rights found in *section 26 - Protection of families and children* and *section 28 Cultural rights—Aboriginal peoples and Torres Strait Islander peoples* of that Act.

Recommendation 4: That the Child Safety Commission of Inquiry acknowledge the importance of consistent implementation of the ATSICPP by all Australian States and Territories, including Queensland, to achieve the National Agreement on Closing the Gap and the National and State Principles and Laws for Child Safe Organisations.

ATSICPP implementation led by a strong Aboriginal and Torres Strait Islander Community-Controlled Sector in Queensland is foundational to an effective child protection system

As the UIIH Network well knows, when applied effectively and with diligence by all stakeholders, the ATSICPP strengthens prevention and early engagement with families and kinship networks, supports culturally safe and informed decision-making, improves placement stability and wellbeing outcomes for children and young people, and reinforces partnership with Aboriginal and Torres Strait Islander Community-Controlled Organisations, which are best placed to support First Nations children and families through culturally grounded practices. Strengthening the implementation of the ATSICPP is also an important mechanism in

²² See section 5(c) *Child Protection Act 1999* (Qld) - Additional principles for Aboriginal or Torres Strait Islander children.

²³ Section 28(2)(c) *Human Rights Act 2019* (Qld) specifies that Aboriginal peoples and Torres Strait Islander peoples must not be denied the right, with other members of their community— [...] to enjoy, maintain, control, protect and develop their kinship ties”.

²⁴ Full implementation of the ATSICPP aligns with all four Closing the Gap priority reforms: (1) committing parties to partnerships with Aboriginal and Torres Strait Islander people; (2) building the community-controlled sector; (3) transforming government organisations; and (4) sharing data at a regional level. For example, Closing the Gap Priority Reform 3: Transforming government Organisations sets out Federal and State government commitment “to systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people”.

addressing the ongoing grossly disproportionate number of Aboriginal and Torres Strait Islander children and young people in OOHC.

Transformative change for First Nations children and families within the child protection system relies on appropriately resourced Aboriginal and Torres Strait Islander Community-Controlled Organisations, which are best placed to lead prevention and early intervention services and supports for First Nations children, their family and community.²⁵

SNAICC reports that 70% of Intensive Family Support Services and 38% of Family Support Services in Queensland are delivered by Community-Controlled Organisations. While these are promising statistics, the provision of such crucial services by the Community-Controlled sector occurs without adequate funding. Indeed, among Australia’s States and Territories, Queensland has the second lowest proportion of expenditure on family support and intensive family support (10.4%).²⁶

Recommendation 5: To build trust among Aboriginal and Torres Strait Islander peoples and families who are over-represented in Queensland’s broken child protection system, the Queensland Government must prioritise adequate, fit-for-purpose resource and investment in Aboriginal and Torres Strait Islander Community-Controlled Organisations throughout Queensland. The Community-Controlled sector has a foundational, leading role to play in effective ATSICPP implementation if the current children protection system is to transform and effectively meet the needs of Aboriginal and Torres Strait Islander children and families now, and well into the future.

²⁵ SNAICC (2025) *Family Matters Report 2025 | Strong, loved and full of potential*. Available: <https://www.snaicc.org.au/wp-content/uploads/2026/01/Family-Matters-Report-2025-v3.pdf>; Creamer S et al (2022) Indigenous services leading the way for Aboriginal and Torres Strait Islander children in out-of-home care. *Social Work and Education Journal* Available: <https://doi.org/10.1080/02615479.2022.2155129>.

²⁶ See SNAICC’s *Family Matters Report 2025*, page 13.

Appendix 1.

[Text redacted for public dissemination]