

TAIHS Submission for the Commission of Inquiry into Child Safety

The Townsville Aboriginal and Torres Strait Islander Corporation for Health Services (trading as TAIHS – Townsville Aboriginal and Islander Health Service) is an Aboriginal and Islander community-controlled health organisation (AICCHO) established in 1974 (the fourth ACCHS established in Australia). We have provided integrated health and community services for over 50 years, led by a Board of Directors comprising Aboriginal and Torres Strait Islander people from across the region.

TAIHS delivers culturally safe services across primary health care and community support, including Primary Health Care (with on-site pathology and pharmacy and visiting allied health and specialist services), Maternal and Child Health, and Social and Emotional Wellbeing. We also deliver child and family support (Family Participation Program, Family Wellbeing Program, and Foster and Kinship Care), Early Childhood Services through Yamani Meta, Youth Services (including the Youth Support Service, Youth Hub and Lighthouse after-hours diversionary services, and bail support), and specialist accommodation services.

Our health services are accredited against RACGP standards and our community services are accredited against HSQF standards. TAIHS employs more than 220 staff (71% Aboriginal and Torres Strait Islander) and works with visiting specialist and allied health providers and partner services to strengthen outcomes for our community. TAIHS' purpose is to lead the way in providing accessible, integrated health and social support services so that our people can live healthier, stronger and longer lives.

TAIHS is providing evidence to the Commission of Inquiry into Child Safety to inform reforms that strengthen culturally safe, community-led and integrated responses, so that Aboriginal and Torres Strait Islander children can be kept safe and supported within their families, kinship networks, community and culture.

Child safety and family support in your region

The most significant challenges in working alongside the child safety system in our region occur when the Department does not work in genuine partnership with Aboriginal and Torres Strait Islander communities, families and local support services. These groups all contribute to keeping children safe within family and kinship systems, connected to culture, and minimising statutory involvement.

This includes TAIHS-delivered services—the Family Wellbeing Service, Family Participation Program and Foster and Kinship Care—which are funded by the Department and work in partnership to improve safety for Aboriginal and Torres Strait Islander children and families. These families have historically experienced significantly worse outcomes than non-Indigenous families when engaged with child protection and other government systems.

At times, inconsistent collaboration with TAIHS and other services has contributed to unnecessary child removals, reinforcing community distrust in child protection systems and compounding intergenerational trauma and family disconnection.

The Department's inconsistent approach to genuine partnership with TAIHS Aboriginal and Torres Strait Islander child protection-aligned services can also affect community perceptions of our organisation. This uncertainty can lead families to question TAIHS' independence from the Department and reduce confidence in our ability to support and advocate for them when children can remain safely at home and out of the statutory system.

The experiences of families interacting with the child protection system

There does not appear to be a consistent way of working across child safety service centres in the region. Some offices work well in partnership with TAIHS and other community services; however, two child safety service centres do not.

For instance, a Team Leader from a service centre that does not work well with TAIHS is known in the community as being focused on pursuing the removal of newborn babies. This reflects a disproportionate number of cases overseen by this Team Leader in which children enter care, despite support mechanisms that TAIHS can confirm would enable children to remain safely with family.

By contrast, other child safety service centres collaborate more effectively with TAIHS, recognising that children are safe (or can be supported) through culturally responsive, self-determined family arrangements, without unnecessary and traumatic removals into options such as general foster care or residential care.

Child safety system challenges for Aboriginal and Torres Strait Islander children and families

The biggest challenges occur when the Department not only fails to collaborate with families, community and services, but also makes decisions to remove children without input from services that are often already involved. This can occur even when the Department has referred families to services such as the TAIHS Family Wellbeing Service (FWS) or Family Participation Program (FPP).

When TAIHS, community members or Aboriginal and Torres Strait Islander families are not given meaningful opportunities to lead or inform decision-making, participation can feel tokenistic—especially when Aboriginal and Torres Strait Islander voices are not genuinely heard and have limited influence.

These instances affect children's sense of safety and stability and erode trust in the child protection system. Trust is already fragile due to intergenerational experiences of colonisation, child removal and ongoing trauma for Aboriginal and Torres Strait Islander people.

For example, a mother was concerned that Child Safety would remove her baby due to previous involvement. She self-referred to the TAIHS FPP and developed a family-led decision-making plan to address likely concerns, with an Aunty identified to care for the baby.

However, the Department did not advise TAIHS that the Aunty was subject to an open Investigation and Assessment, which undermined the plan created by the family. If there were concerns about the Aunty's children, the Department did not inform TAIHS FPP about the open Investigation and Assessment, despite its relevance to the safety of Aboriginal children. Due to the lack of collaboration with FPP, the baby was removed.

When the Department does not communicate with TAIHS and acts without consultation, it limits our ability to respond and can affect our reputation in the community. Word of mouth is powerful; when stories like this are shared, families' confidence in community-controlled supports can be diminished, creating instability and uncertainty when Child Safety becomes involved.

Recent changes to child safety referrals, caseloads or decision-making

There has been a distinct shift in the frequency of Department referrals to FPP and FWS. As of November 2025, TAIHS had received no referrals from the Department to FWS since the transition from ICMS to the Unify reporting system in July 2025.

This is also around the time the Aboriginal and Torres Strait Islander-staffed Enhanced Intake and Assessment Approach (EIAA) commenced. The intent of the EIAA is to improve pathways for Aboriginal and Torres Strait Islander children and families to access culturally appropriate services to address potential or actual child safety concerns.

FPP has also identified an increase in requests for reunification support following the announcement of the Commission of Inquiry into Child Safety.

What's working

TAIHS has positive working relationships with Child Safety in a number of areas. Effective collaboration is often driven by relationships within a particular child safety service centre, team or individual staff members.

The Bubs Collective, Aitkenvale CSSC and the Family Wellbeing Service have worked well to improve collaboration and support joint case discussions. However, recent staffing changes in the Department and limited capacity to connect are currently hindering this progress.

The TAIHS Family Wellbeing Service has a strong relationship with the Intake and Assessment team at the Aitkenvale Child Safety Service Centre, supporting families to access the assistance they require. TAIHS also has positive working relationships with the Charters Towers and Townsville West Child Safety Service Centres, contributing to better outcomes.

When the Department works in genuine partnership with TAIHS and families, it strengthens access to community perspectives and up-to-date information about family strengths and needs. This enables more effective service delivery and supports more appropriate outcomes through shared understanding.

Good cultural practice and strong partnerships

TAIHS services were previously invited to and actively involved with Suspected Child Abuse and Neglect (SCAN) meetings, Practice panels and other broader stakeholder meetings but are no longer involved. These opportunities improved the potential for children and families to be engaged by our services and mitigate the need for intrusive child protection interventions.

It has been observed that there are typically better outcomes for families who self-refer to FWS or when department refer families to FWS for matters which reach the lower concern threshold of a Child Concern Report (CCR) and refer families to FPP regarding Notifications. These positive outcomes rely on trusting relationships, services being resourced for community engagement work, effective information sharing and department effectively referring families to our services.

Positive changes in the system that should be supported or grown

TAIHS services Family-Led Decision Making practices are strength based but don't align with the department's often risk-averse and deficits-based approach and threshold to children's safety.

Children and families achieve better outcomes when the department allow our services to support families to lead in ensuring their children are safe in family, community and culture.

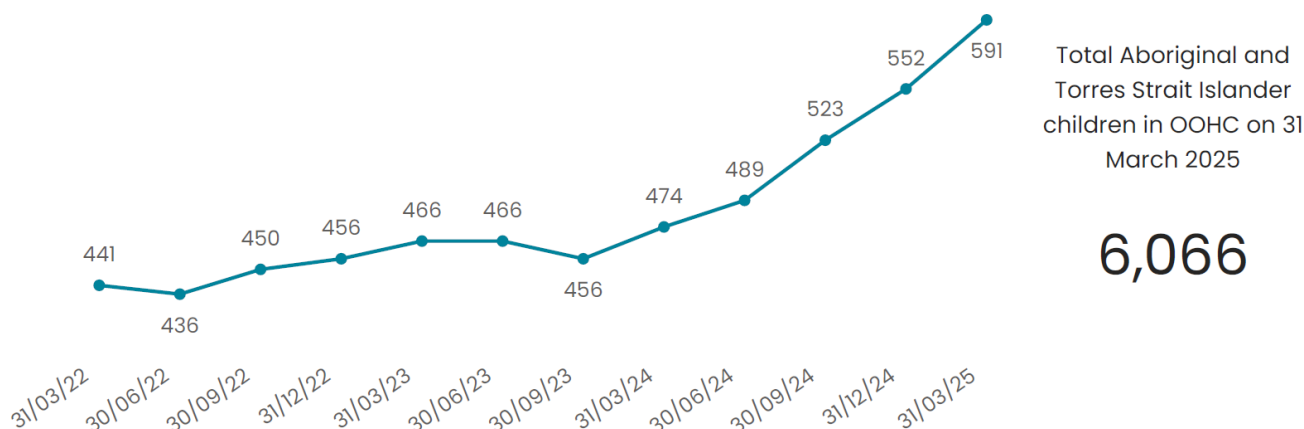
What’s not working

The most common issues experienced by TAIHS services of FWS, FPP and FKC work in the child protection space is the inconsistent practices of child safety service centres, lack of information sharing by the department, limited understanding and utilisation of culturally strong responses despite having internal and external opportunities to apply them.

Significant harm can occur when the Department fails to work in genuine partnership with Aboriginal and Torres Strait Islander people or to step back and enable self-determined approaches. When the Department does not understand (or consider) the impacts of its actions on families, it can cause direct harm and influence child protection decisions in ways that increase risk rather than reduce it.

This lack of collaboration is seen by TAIHS as a major factor contributing to systemic failures leading to the increasing number of Aboriginal and Torres Strait Islander children being subject to child protection in our catchment areas and shown in the following data captured in ICMS.

Number of Aboriginal and Torres Strait Islander children in OOHC within catchment area



Inconsistencies in departmental practice at individual staff member and service centre levels

The Department doesn’t appear to be following consistent and clear processes. This includes following the legislated child placement principle to the extent of Active Efforts in engaging and enabling the potential of services like FWS and FPP to support Family Led Decision Making responses to genuine child protection matters. There is also a consistent theme that Aboriginal and Torres Strait Islander children subject to ongoing child protection orders do not have adequately developed mandatory cultural support plans that have been family or culturally led by those with cultural authority or understanding of the child’s cultural needs.

Practices differ between child safety service centres, potentially reflecting individual officers’ interpretations of legislation and personal worldviews. These differences can shape officers’ approaches and decision-making in response to reported child protection matters. For example,

a TAIHS staff member recalls an instance where an officer made a decision based on the view that a parent had bipolar disorder, despite there being no formal medical diagnosis.

Ongoing intervention case plans for children subject to orders can be vague and parents and families required progress towards reunification isn't always clear. For example, a case plan goal might expect parents to complete a particular task such as completing a parenting course. However, there is no acknowledgement from department once this task is completed and the family may be required to complete it again, even though it has already been achieved. This is especially confusing and frustrating for families working towards having their children reunified.

Gaps in department sharing information and responsiveness

The lack of consistency in information sharing and transparency can occur at the referral stage from the department. Some referrals have enough information to enable effective support to be provided whilst others don't have enough information. In some referrals, there has been a lack of information being provided from Child Safety about a family and subsequent potential worker safety issues, particularly in cases where DFV concerns exist.

This kind of information provided upfront would not affect the service's decision to respond or not, only how it would structure its response. For instance, two or more staff may meet with the family to make their own assessment on how to best proceed with the engagement. However, unshared genuine safety issues have the potential to place TAIHS staff at an unnecessary and unreasonable risk of harm.

Any delay in department sharing information with FWS can also affect the support families receive, particularly when the full scope of the department's concerns is not shared. This can include instances whereby the department inform families and FWS of concerns they have had throughout the course of FWS involvement but only share after the family has successfully met the department's expectations to date.

This is experienced as an unfair moving of the goalposts and can occur several times for some families, causing ongoing and increasing frustration and mistrust with the department and possibly TAIHS service. This may also leave families and FWS vulnerable in not allowing as much time as possible to address the genuine needs and be seen as a lack of progress by department to justify escalating the child protection intervention or prolong a service involvement.

There are also challenges when the department are not transparent with families about the decisions they intend to make in removing children. This unethical practice includes instances whereby the department do not actively work towards reunification because it's "too much work to change orders" and fail to inform the family of their intention not to reunify children.

This can have compounding effects on families feeling powerless regarding the child protection system whilst also impacting the community's perspective on FWS's role and effectiveness. This lack of transparency for parents can also impact their further engagement and progress towards achieving the department's case goals.

FPP, who facilitate Family Led Decision Making to support families develop family plans and case plans, have noted sending these to the department and not receiving confirmation of receipt or how the plans are utilised by the department. FWS advise that the lack of transparent and consistent communication from the department is an ongoing concern which can significantly affect children, their families and the work it is doing.

Impacts on the fundamental need of a child's connection to family, community and culture

Getting in contact with some departmental staff (CSOs and Team Leaders) can be difficult, which affects receiving the information families need for maintaining family and cultural connections.

For example, FWS advise of delays in departmental approvals for a child in care seeking permission to attend cultural events where there is a month's notice but approval may not be granted until the day before the event, causing stress and anxiety for a child and family.

It is not uncommon for children in care to miss out on spending time with their family due to lack of departmental staff capacity to supervise contact. A child's time with family may only be scheduled to occur weekly and can take several months for the department to organise after children are removed, causing disconnection from family, community and culture.

There can also be little understanding of the differences between Aboriginal and Torres Strait Islander cultures, resulting in an inappropriate 'one size fits all' response approach.

All of these poor practices can and do cause unnecessary stress, anxiety, and harm to children whose family, community and cultural connections are essential to their immediate and ongoing safety. When a child's connections are not prioritised and actioned in a thorough, timely or purposeful manner, the child protection system can create further harm for children in care.

Department opportunities to be culturally responsive internally

The Department employs Aboriginal and Torres Strait Islander people in identified roles to improve cultural capability and responsiveness; however, there still appears to be inconsistent cultural confidence and competence in practice.

The Department has an internal Cultural Practice Lead and five (5) known Cultural Practice Advisor (CPA) roles in the region to support culturally responsive decision-making for Aboriginal and Torres Strait Islander children. However, many in the community perceive these roles as pressured to align with the Department's non-Indigenous, culturally unsafe practices.

TAIHS staff also believe that departmental CPA staff don't have the authority or independence to make decisions and shape the work being done. There is also a sense that CPAs may be fearful to disagree with their child safety colleagues and not feel culturally safe themselves.

And for those CPA staff who do offer sound alternative views or even actively challenge the department on their culturally unsafe practices, their advice can be ignored with no recourse or opportunity for escalation.

The Department's approach to mapping family to identify kin care options appears limited and ineffective, relying on incomplete existing information about children already in care. All Finding Kin positions are identified roles; however, staff may not know their own connections and may lack cultural awareness and confidence. The Finding Kin team is also not tasked with, or upskilled to complete, provisional approvals for families they identify.

Department opportunities to be culturally responsive externally

There are opportunities for Aboriginal and Torres Strait Islander people whose professional and family or community roles interface with the department and may influence the outcomes for those who come to the attention of child protection. There are also other government and non-

government entities who can have direct and indirect influence over the child protection outcomes for Aboriginal and Torres Strait Islander peoples.

One of the identified mandatory reporters is the health system. TAIHS staff feel that both child safety and health departmental staff do not acknowledge the historical and ongoing system-based trauma impacts on families. FWS feel the relationship between Child Safety and the hospital, and hospital policy is contributing to higher removals: they are seeing a spike in removals from hospital. For instance, the department requested FWS to engage the mother of a newborn to complete a safety plan with mum in hospital. However, whilst FWS was developing the plan with mum, the department entered the hospital without warning and removed baby from mum.

There is also a language barrier with many overseas medical practitioners staffing hospitals. Parents advise of not understanding medical jargon, strong accents and lack of experience with younger overseas doctors and health workers who don't understand the impact of colonisation and how their own bias discount the values and strengths of families.

Systems harm from poor departmental practices

There are several areas of concern for our staff who support Aboriginal and Torres Strait Islander children and families who are at risk of entering or actually involved with the child protection system, including:

- The experience of parents being in care themselves as being an indicator to child safety that their children are at risk.
- Instances whereby children have remained on interim orders for up to 2 years and go directly to long term guardianship orders without custody orders or other alternatives being sought.
- Families describe that working with Child Safety is "like being in a DV relationship" with experiences of coercive control. Services also feel a sense of this due to the significant disparity in decision making power held by department. TAIHS staff can feel like they can't question the department's practice, decisions or appropriateness of certain referrals being made. It can feel like the department are referring families who are almost certain not to engage in support and using TAIHS to gather evidence for the Department's case to gain orders.
- Some families appear to be assessed and judged on historical concerns. For example, being judged on issues from a decade or more ago but used to make assessment and decisions.
- There is also a perception that some families are "stress tested" by child safety to see how much they can be pushed. Many families that child safety are involved with feel like giving up because of the changing expectations when they have made successful progress.
- They will make suggestions to child safety if the FWS is not the most appropriate service, e.g. sending to FIS service for more intensive support but feel "bullied" by the department to accept the referral.
- Services feel bullied and disrespected by the department, who do not understand or acknowledge how much effort and depth of work is put into working with families.
- Community is concerned about the power some CSOs exert, referring to "power going to their heads". An example was provided of a TL's attitude towards families and removals: "they take the child until the family can prove they can get them back".

Barriers that keep arising

Child safety staff may not have English as a first language, which can create communication issues, misunderstandings and misinterpretations when speaking with Aboriginal and Torres Strait Islander families whose phrasing can be catastrophised by the department to mean something negative, unsafe or used to build a case against families who are explaining their challenges and seeking support to address them. Departmental language can also be easily misconstrued by Aboriginal and Torres Strait Islander families.

There is a concern that university qualifications of department staff do not equate to safe or effective departmental practices when assessing families to ensure the safety of children.

There is an ongoing challenge for families to access timely legal support that is culturally responsive to the needs of Aboriginal and Torres Strait Islander people and experienced with the child protection system. It has been noted that there were two (2) key local legal service staff who have recently moved on from their positions, creating more of a gap in service for families needing legal advice and support to navigate their child protection interactions.

Unfair or harmful child safety system practices

Although the Department's role is to act in the best interests of children—now and over their lifetime—its siloed and inconsistent ways of working too often create unfair and harmful outcomes for the children it is meant to protect.

Families and Department-funded service providers face a significant level of scrutiny and expectation, which is appropriate given the system's purpose of prioritising children's safety and wellbeing. However, the same level of scrutiny is not observed for the Department, either internally or by an external body, particularly when mistakes or unsafe practices cause harm.

TAIHS services that work alongside Child Safety are required to follow relevant policies and processes, and to act in good faith under the Child Protection Act 1999 (Qld). We expect the Department to also comply with its Practice Manual and legislative obligations.

It affects everyone when FPP is not given the opportunity to be effectively utilised to support families in having a genuine voice. The department acts independently in making decisions even though they are meant to involve FPP and families, resulting in children being removed. This breaks the community's sense of safety and trust with FPP and affects the FPPs ability to effectively engage community.

Where children or families are not satisfied with the Department's actions, there are avenues to make complaints. However, community members report receiving no meaningful updates or outcomes following complaints, and they feel there are limited options to escalate concerns when nothing appears to change. Many families do not complain due to fears of being targeted by the Department.

It is not uncommon for the wrong information to be recorded about children and families in the departments Affidavits, which are presented to and accepted by the court when orders are being sought. It either looks like the content has been copied and pasted from another document or the details contained are mistakenly added due to confusion about the identity of a child or family.

And because there is a lack of legal representation available to families, there is limited opportunity for families to be supported to effectively challenge institutions like the child safety and legal systems on a consistent basis.

Another concern is the instance whereby the Family Led Decision Making plans developed by families, whose children are at risk of entering or already subject to child safety, and FPP, are altered by department without any consultation or approval from the family.

There are also examples whereby a Safety Plan has been changed by CSO with elements the family have not agreed to and without the family's consent. This is a significant breach in the process and impact on the family and services trust in the child protection system.

Some departmental staff or service centres do not respect FPP in making culturally responsive assessments regarding the strengths and needs of families or safety of children through the FLDM process. It is also not helpful when the department are not willing or able to accept the strengths and protective measures family have to keep their children safe.

FPP perceive some referrals from particular child safety service centres as just being a distraction for those families whilst department are working in the background so they have time to apply for child removal Orders. This is due to FPPs ongoing experiences of department referring families, only to make decisions without the input or consideration of FPP service, and of child safety delaying their response to their concerns and then expecting FPP to respond immediately after months of departmental inaction. If departmental concerns exist, why wait until crisis occurs or internal departmental pressure creates an urgent need to respond?

The department is often hesitant to meet with families in person and rely too heavily on Aboriginal and Torres Strait Islander services to do the work child safety staff are reticent to do. This can cause problems for TAIHS staff, who may be seen as siding with the departmental perception that children are unsafe when TAIHS cultural assessments show children are safe, and can also lead to lost opportunities for the department to build connections with families they are meant to work alongside.

This lack of engagement can extend to situations where families are not informed about where their children in care are moved when placement changes occur.

Although there seems to be capacity for department to enable provisional approvals for general carers, there doesn't seem to be the same capacity/allowance for provisional approvals for kin carers. Therefore, children are placed in general foster care or residential care.

Case Stories

Case story 1

FPP are aware of a case whereby the Nurse who reported the concerns was then approved as the child's carer. How was this not seen as a conflict of interest? The Court later transitioned the child to kin.

Case story 2

FWS recount an instance whereby a baby sustained injuries whilst in care and was taken to hospital for treatment by the parents, who were subsequently blamed for harming the child.

Recommendations

Changes to the system that would work better for Aboriginal and Torres Strait Islander children and families

More emphasis and resourcing to provide preventative and early intervention responses would benefit everyone in the short, medium and long term rather than investment into out of home care.

FKC are in the process of developing a training package designed for kinship carers which is similar to the pre-service training typically offered, which will better support readiness and capability of kin to care for children subject to child protection

Conclusion

TAIHS knows that preventive and early intervention approaches achieve better outcomes than punitive child protection responses, which can appear to wait for families to fail rather than offering timely support. TAIHS seeks improved collaboration, consultation and communication at all levels so genuine shared decision-making and partnerships can occur.

To enable this to be more effective, increased capacity for Aboriginal and Torres Strait Islander Family Led Decision Making through better resourcing should be made available as the delivered approaches have proven to achieve better outcomes.

Families also need improved access to culturally responsive legal support to challenge the child protection system and strengthen fairness in a system that can heavily favour statutory entities such as the Department.

There is also a need for greater oversight of and actual accountability for the department when they make decisions that don't follow their own policies or the legislation, which results in children and families entering in the child protection system unnecessarily.

If TAIHS could change one thing tomorrow, it would be to ensure families are heard, acknowledged, valued and acted on. Empowering Aboriginal and Torres Strait Islander people with cultural authority to make decisions about a child's care and safety is preferable to relying on a government department to decide what is best for our people.

Aboriginal and Torres Strait Islander families, communities and TAIHS services designed to support our people can better prioritise a child's cultural safety, including their family and community connections, relationships and attachments as much as their broader physical and emotional safety.

For every child who does genuinely require child protection system intervention, they deserve ongoing, consistent and robust culturally responsive emotional wellbeing supports to heal from the trauma they have experienced, which includes the often overlooked factor of being removed and taken into care.

For this to occur, the child protection system must move away from authoritative, controlling and culturally unsafe practices and empower Aboriginal and Torres Strait Islander families, communities and community-controlled organisations like TAIHS. This will enable us to lead in keeping our children safe through culturally responsive approaches that align with our ways of knowing, being and doing.