



Joint Statement

New Legislation Announced Demonstrates Disregard for Transparency and Consultation with Public on Vulnerable Children and Families

The recent announcement by the NSW Government that significant legislative reforms to the statutory child protection system will be introduced to Parliament has stunned stakeholders including Aboriginal community bodies, and community legal advocates, citing the lack of transparency and public dialogue on this important area of public policy.

The group, including AbSec – NSW Child, Family and Community Peak Aboriginal Corporation, the Aboriginal Legal Service (NSW/ACT), Community Legal Centres NSW, Public Interest Advocacy Centre, Kinchela Boys Home Aboriginal Corporation, Burrun Dalai Aboriginal Corporation, the Benevolent Society, Professor Terri Libesman (UTS Law), KARI, Save the Children Australia, and Armajun Aboriginal Health Service have repeatedly called for greater transparency and consultation with respect to reforms that go the heart and soul of our society; our treatment of the most vulnerable members of our community.

Following a brief consultation process in response to a Family and Community Services discussion paper, *Shaping a Better Child Protection System*, in October 2017, there has been a disturbing silence about the scope and substance of the proposed changes, with the public and sector stakeholders apparently having to wait for the draft bill to be tabled in parliament to see what the government has decided to do.

A report detailing the outcomes of the consultation process has not been released at the time of this announcement, suggesting government disdain for the views of those individuals and organisations that engaged with the limited consultation opportunities provided.

This lack of openness is deeply troubling for Aboriginal communities in particular, given the significant and disproportionate impact that the statutory child protection system continues to have on the lives and wellbeing of Aboriginal children and young people, their families and communities.

Early media reports, including the Government's own media release, have focused on efforts to impose time limits to rush permanent care orders like adoption, as well as providing increased opportunity for family involvement. However, there is a distinct lack of detail available for the public, civil society and Aboriginal community representatives to make an informed assessment of these proposals, and extremely limited opportunity to further inform or refine the legislative reforms needed to uphold the rights of vulnerable children and young people. There are deep concerns that the rush to adoption repeats past mistakes, and offer no solution to uphold the best interests of vulnerable children and young people.

Aboriginal communities are particularly concerned by the push towards adoption orders that permanently sever Aboriginal children and young people from their family, community, culture and identity, and emphasise the need to engage with Aboriginal peoples about the appropriate systems and actions to uphold the rights of Aboriginal children and young people.

We call on the NSW Government to reconsider the progress of these amendments and urge all members of the Legislative Council to send this bill to committee, allowing a meaningful public engagement and consultation process, so that the public, including children and young people, and Aboriginal communities can genuinely inform the proposed changes, understand their implications, and take part in an open and transparent dialogue about the scope and detail of legislative reforms needed to achieve a modern, rights-based statutory child protection system.

Please direct enquiries to Dakota Torrens on (02) 9559 5299 or Dakota.Torrens@absec.org.au