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Family is Culture Review provides crucial new opportunity for Aboriginal child protection reform

AbSec welcomes the release today of Family is Culture, an independent review chaired by Professor Megan Davis, examining the high rates of Aboriginal children and young people in out-of-home care (OOHC) in NSW.

“The Davis Review is the largest and most comprehensive independent contemporary review of Aboriginal kids in the NSW child protection system to date” says AbSec CEO, Tim Ireland.

“It paints a painstakingly clear picture of how much work must still be done to better support Aboriginal children and families impacted by the out-of-home care system”.

“While the case files analysed in this review may be 3 years old, we see no meaningful difference between these findings and what is happening in our communities today. There is no alignment of the system with the key recommendations made in the National Family Matters Report, the over-representation of Aboriginal kids and young people in out-of-home care remains staggering, and the system continues to have catastrophic effects on long-term outcomes for too many of our kids.”

“The release of this review is a watershed moment for the Child Protection sector and provides the opportunity for the government to be open to new ways of operating in order to break the tide of this over-representation.”

“Aboriginal-led solutions are the only way forward. Our organisations must be given oversight of the system and supported to deliver crucial early intervention supports which prevent kids from entering out-of-home care to begin with.”

“We welcome the opportunity to work with the government on implementing the recommendations from this report on behalf of our communities. If the NSW government wants to do better in its support of Aboriginal children in child protection, then the pathway is clear.”

Areas of serious concern emerging from the review include findings of:

- Widespread noncompliance with legislation and policy among FACS caseworkers and managers. This involves the outward appearance of compliance with regulation, shielding a culture of non-compliance, particularly with the application of the Aboriginal Child Placement Principle.

- Lack of transparency and effective oversight within the system, meaning the child protection system is essentially a 'closed' system
- Reported multiple instances of poor and unethical newborn removal practices
- Continued resonance of the current child protection system with historical practices used against Aboriginal communities. The views of Aboriginal communities on this are supported by comprehensive research, enquiries and reviews.

In NSW, Aboriginal and Torres Strait Islander children are 11 times more likely to be removed from their families than non-Indigenous children.

“Our kids deserve nothing less than us taking immediate action based on these new findings. The sooner the government starts implementing these recommendations with Aboriginal communities and organisations, the better.”

Please direct all media enquiries to Thea Soutar on thea.soutar@absec.org.au / media@absec.org.au or (02) 9559 5299

Key Statistics

- For almost half of the children who entered care during the sample period, reviewers identified practice issues in the way the children came into care (47%) (p. 46)
- 80.9% had no formal Aboriginal consultation pre-entry to care (p. 275)
- Over two thirds of mothers of children in the cohort had a child protection history in NSW (68.3%) (p. 47)
- Almost one in two Aboriginal children who lived in NSW and entered Kindergarten in 2009 and 2012 were screened-in at Risk of Significant Harm by the age of 5 years, 184” (p. 40)
- 8.3% of kids were placed in a motel when they first entered care (p. 284)
- A quarter of mothers of children in the cohort had previously been in an OOHC arrangement themselves as a child (25.5%). (p. 47)
- In 1993, there were 829 Aboriginal children and young people in OOHC in NSW. In the latest statistics period, there were 6,766 Aboriginal children in OOHC in NSW (p. 8)