



CREATE Position Paper

Issue: Overrepresentation of Aboriginal and Torres Strait Islander Children in Out-of-Home Care

CREATE’s Position

CREATE believes that the overrepresentation of Aboriginal and Torres Strait Islander children and young people in statutory care is unacceptable in a developed, prosperous country such as Australia. CREATE urges state and territory governments to set as their highest priority actions for early intervention to curb the increasing number of Indigenous children entering care; and the implementation of the agreed National Standards for Out-of-Home Care (FaHCSIA, 2011) that apply to Indigenous peoples (particularly Standards 3 and 10) to ensure those in care feel culturally safe and stay strong in their culture.

National Standards	Measures
<p>3. Aboriginal and Torres Strait Islander communities participate in decisions concerning the care and placement of their children and young people.</p>	<p>3.1 The proportion of Indigenous children and young people in out-of-home care placed with the child’s extended family, with the child’s Indigenous community, or with other Indigenous people, by care type.</p>
<p>10. Children and young people in care are supported to develop their identity, safety and appropriately, through contact with their families, friends, culture, spiritual sources and communities and have their life history recorded as they grow up.</p>	<p>10.1 The proportion of Aboriginal and Torres Strait Islander children and young people who have a current cultural support plan.</p>

Evidence

- More than a third of children in out-of-home care (OOHC) in Australia are Aboriginal or Torres Strait Islander (i.e., 13,952 Aboriginal and Torres Strait Islander children as at 30 June 2013) (AIHW, 2014).
- Aboriginal and Torres Strait Islander children make up only 5% of all Australian children 0-17 years of age (ABS, 2011).
- The rate of Aboriginal and Torres Strait Islander children being the subject of a child protection substantiation was 8 times that of non-Indigenous children in 2012-13 (AIHW, 2014)
- Nationally, the rate of Indigenous children in out-of-home care was 10.6 times the rate for non-Indigenous children (AIHW, 2014).
- In Western Australia an extreme difference between Indigenous and non-Indigenous groups has been observed with Aboriginal and Torres Strait Islander children, who make up only 5% of the total number of children (aged 0-17 years) in that state, comprising 49.5% of all children in out-of-home care (SNAICC, 2014a).
- In the Northern Territory, another significant difference has been recorded; Aboriginal and Torres Strait Islander children (aged 0-17 years) make up 44% of the Territory’s child population, yet comprise 82% of all children on care and protection orders (SNAICC, 2013)
- In CREATE’s Report Card 2013, the 309 Indigenous respondents reported having more placements (and greater instability) than those in other cultural groups (McDowall, 2013).
- Indigenous children and young people also have been involved in a greater number of attempts to return to their parents than those in the Anglo-Australian group (McDowall, 2013).

- Of the Indigenous participants, 30.1% felt they were “not at all” or “a little” connected to their culture or cultural community (McDowall, 2013).
- Only 10.4% Indigenous participants claimed to know of the existence of their personal cultural plan (McDowall, 2013).
- Family and culture, particularly for Aboriginal and Torres Strait Islander children and young people, have a pivotal role in the child’s development (Moss, 2009).
- Positive self-identity for Indigenous children is reinforced by cultural and community connections (Lewis & Burton, 2014).

Actions

The overrepresentation of Aboriginal and Torres Strait Islander children and young people in statutory care demonstrates that current approaches to ensuring the safety and wellbeing of Aboriginal and Torres Strait Islander children and their families are not working. Governments are required under the UN Convention on the Rights of the Child to help families protect their children’s rights – including their rights to live with their families and to practice their culture, language, and religion.

CREATE supports the actions advocated by SNAICC (2014b) to address the current unacceptable situation. Governments must take responsibility for:

1. Promoting understanding of, and respect for, Aboriginal and Torres Strait Islander rights and cultures;
2. Placing Aboriginal and Torres Strait Islander family and community decision making at the centre of ensuring the safety and wellbeing of children;
3. Increasing the proportion of government expenditure on Aboriginal and Torres Strait Islander developed and delivered prevention and early intervention services, and targeted family support services;
4. Increasing the number and capacity of Aboriginal and Torres Strait Islander child protection services available to provide prevention and early intervention services, targeted family support services and out of home care services.

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