



Submission to the Senate Select Committee

Measuring Outcomes for First Nations Communities

March 2025

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Acknowledgement of Country

AbSec acknowledges the Gadigal and Wangal People of the Eora Nation, the land on which our office stands, and pay respect to Elders past, present and emerging. We acknowledge the Elders, leaders and advocates within our sector and pay our respects to them as knowledge holders within this space and every space.

AbSec acknowledges the Stolen Generations who never came home and the ongoing impact of government policy and practice on Aboriginal and Torres Strait Islander children, young people and families.



Who We Are

AbSec, the principal authority for Aboriginal children, young people, and families in New South Wales, champions the rights to self-determination and culturally secure, community-directed services. As the NSW Child, Family and Community Peak Aboriginal Corporation, our advocacy is anchored in the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP).

We are dedicated to addressing the disproportionate representation of Aboriginal children and young people in out-of-home care (OOHC) and to enhancing outcomes across our communities. A leading member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) and the primary organisation for Target 12, AbSec also co-chairs the Families and Justice Sector Committee within the NSW Closing the Gap (CTG) partnership agreement.

We are pleased to present this submission to the Senate Select Committee on Measuring Outcomes for First Nations Communities.

Executive summary

As the Committee is aware, Closing the Gap Target 12—the reduction of the over-representation of Aboriginal and Torres Strait Islander¹ children in OOHC—is not only off track but worsening.

In NSW, Aboriginal children are over-represented in OOHC, accounting for 47.2% of all Children and Young People entering OOHC in 2022-23 and 44.6% of all Children and Young People in OOHC in 2023². NSW also needs to do much more to meaningfully increase the restoration of Aboriginal children with their families, which has been declining through the last decade. For instance, in 2022-23 about half as many Aboriginal children were restored to their parents as compared with 2011-12³. These trends reflect ongoing systemic failures in prevention, early intervention, and the provision of culturally safe support services.

AbSec's submission focuses on Target 12 and the critical need for data sovereignty, improved funding models, and community-controlled service provision to achieve meaningful progress. These outcomes are deeply interconnected. This is evident in the correlation between involvement with the child protection system, with involvement with the youth justice and prison systems, with downstream effects on lifetime social, economic and health outcomes.

Aboriginal children are nurtured within rich and supportive familial and cultural environments but often encounter significant trauma and challenges when exposed to the child protection system and removal from their families. This has profound effects on our communities; as it often leads to a loss of cultural identity and connection to Country, family and kinship which are pillars of Aboriginal wellbeing.

If we are committed to changing this trajectory, we need to effectively measure and report what matters to ensure that we hold governments and the wider sector accountable for progress. By having substantially more specific data, we can also be clear about which parts of the system need to change most urgently.

¹ [DCJ](#), Annual Statistical Report 2022-23

² [DCJ](#), Annual Statistical Report 2022-23

³ [DCJ](#), Annual Statistical Report 2022-23

Recommendations

1. The Productivity Commission dashboard should set out forecasts for the performance of governments in meeting Target 12 by 2031, based on their performance to date and on an ongoing basis.
2. Governments should report on the level and proportion of funding allocated to Aboriginal Community-Controlled Organisations (ACCOs) compared to other Non-Governmental Organisations (NGOs) and statutory services throughout the child protection pathway, from early intervention through to OOHC. This should be supplemented by:
 - Commitments for a dedicated transition plan to shift at least 40% of child and family service funding to ACCOs from Department of Communities and Justice (DCJ) and mainstream NGOs over five years with regular progress reports.
 - Enhance focus on early intervention and prevention strategies over crisis-driven responses, with mandatory reporting on these initiatives.
3. Governments should amend the measurement framework of Target 12 to include children under permanent care orders to more accurately track trends in OOHC.
4. The Federal Government should establish an Independent Indigenous Data Agency to oversee data collection and evaluation through an Indigenous data sovereignty framework. This should include a comprehensive, strengths-based measurement system that includes wellbeing indicators such as connection to kin, culture, and community.
5. Governments must report with sufficient granularity how much Aboriginal children are cared for by their own families and kin, as distinct from other types of care.
6. Governments must implement measures that promote ACCO involvement in Family Group Conferencing, Aboriginal Family-Led Decision-Making (AFLDM) and actions to prevent removal and prioritise reunification. Governments must also report on the extent to which these measures are implemented consistently with Aboriginal Children and Young People.
7. Governments must work with ACCOs to co-design a suite of strengths-based measures that acknowledge the cultural, social, and community assets that foster positive outcomes for Aboriginal children, young people and families.

Background

The Committee is aware that nationally, Closing the Gap Targets 4, 10, 12, and 14 are regressing.. In New South Wales, despite some incremental improvements towards Target 12 — aimed at reducing the overrepresentation of Aboriginal children in out-of-home care (OOHC) by 45% by 2031 — we are not on course to meet this target.

The Productivity Commission reports Target 12 on the national level as a 45% reduction in the total number of Aboriginal and Torres Strait Islander children in OOHC to 29.8 per 1,000 by 2031. A 45% reduction from baseline for NSW is 33.1 per 1,000 Aboriginal children in OOHC by 2031⁴. Figure 1 shows the trend required to meet this target alongside progress to date. It makes clear that while there has been some reduction in the rates of Aboriginal children in OOHC, New South Wales is still far from achieving Target 12.

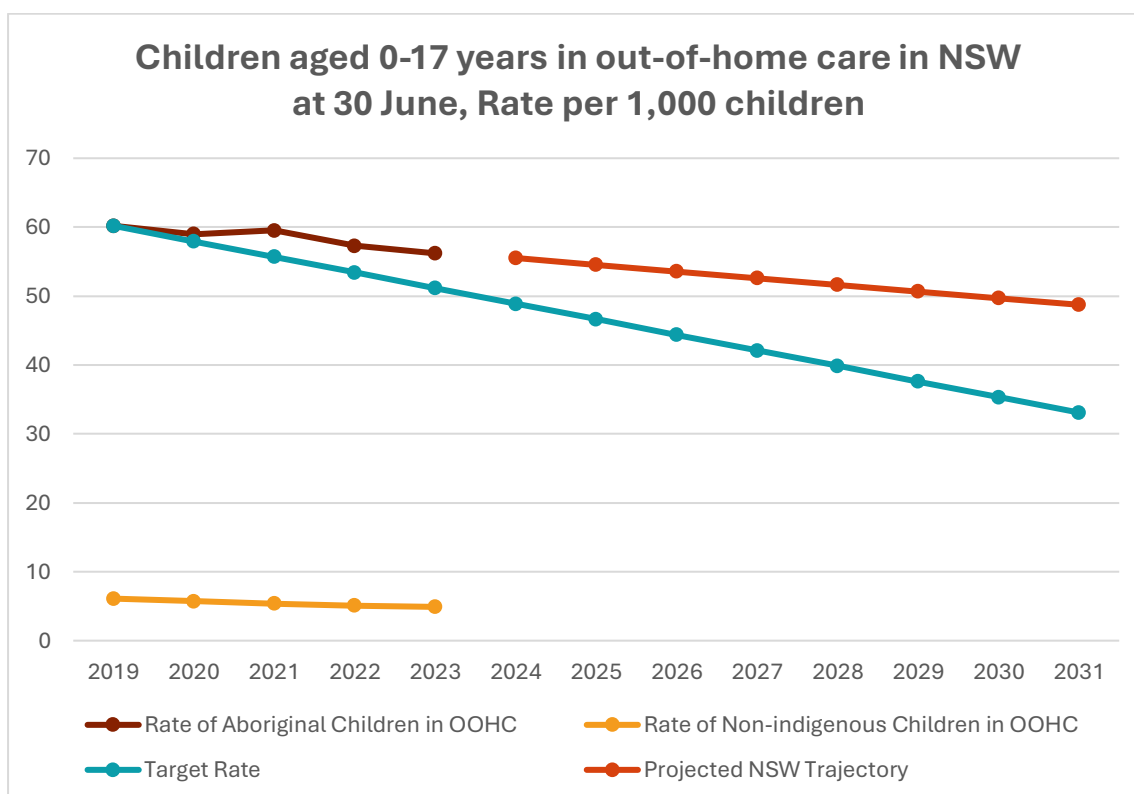


Figure 1 NSW Target 12 projection

The simplicity of producing such projections contrasts with their absence from public discourse. This lack of transparency hinders public accountability and diminishes the potential for informed advocacy and policy adjustment.

⁴ [Productivity Commission](#), Closing the Gap data dashboard

Funding of Target 12 and Investment in Aboriginal Community-Controlled Organisations (ACCOs)

Strong ACCOs are needed to support our children, young people and families in a culturally safe manner. In New South Wales, only 13% is allocated to ACCOs for child and family programs and 14% for Out-of-Home Care (OOHC) and Permanency Support Program services. This despite 45% of children in OOHC being Aboriginal and Torres Strait Islander⁵.

In 2012, the NSW Government committed to transferring the case management of Aboriginal Children and Young People in OOHC to ACCOs within ten years. This was not achieved and DCJ estimates from 2023 projects that it will take 57 years to complete the transition at current rates⁶. The failure of DCJ to transition case management responsibility of Aboriginal children to ACCOs has significant funding implications. For instance, from 2021-22 to 2023-24, DCJ increased its funding to non-ACCO NGOs for Permanency Support Programs (PSP), Targeted Earlier Intervention (TEI) and Family Preservation Services by \$254.1 million while funding to ACCOs for these services grew by only \$55.2 million⁷. This at a time when non-ACCO NGOs already receive over a billion dollars; over 87% of all funding for these services and notwithstanding the commitments from the NSW Government, including the ATSI CPP and CTG to increase the total and proportional funding to ACCOs and grow the sector. Without significant investment in ACCOs, the child protection system will continue to fail Aboriginal children and families.

Recommendations:

- Establish and fully fund a dedicated transition plan to shift at least 40% of child and family service funding to ACCOs from DCJ and mainstream NGOs over five years.
- Ensure funding models prioritise early intervention and prevention rather than crisis-driven responses.
- Implement mandatory financial reporting on the proportion of OOHC and early intervention funding allocated to ACCOs.

⁵ [NSW Audit Office](#), Safeguarding the rights of Aboriginal children in the child protection system, 2024

⁶ [NSW Audit Office](#), Safeguarding the rights of Aboriginal children in the child protection system, 2024

⁷ [DCJ](#), Aboriginal-led Data Sharing Child Protection and Out-of-home Care Statistics

How targets are measured and evaluated

Current data measurement practices do not accurately measure the experiences and outcomes of Aboriginal and Torres Strait Islander children and young people in OOHC. For example, the inclusion of children and young people under permanent care orders in NSW's OOHC statistics is misleading. It minimises the actual over-representation of Aboriginal children and young people in care by removing them from the reporting.

It speaks to the need for substantially more transparency about how many Aboriginal and Torres Strait Islander children and young people live with their families and how many do not in whatever type of care arrangement.

We also need to see the inclusion of strength-based measures for understanding the experience and wellbeing of Aboriginal and Torres Strait Islander children and young people. In developing this type of analysis and knowledge, we must do so in ways that are consistent with Indigenous Data Sovereignty and where Aboriginal and Torres Strait Islander people and organisations are defining what matters for our children, young people, families and communities; and that we are invested in to collect, record and report that data.

Recommendations:

- Amend the measurement framework of Target 12 to include children on permanent care orders, ensuring more accurate tracking of OOHC trends.
- Establish an Independent Indigenous Data Agency to oversee data collection and evaluation through an Indigenous data sovereignty framework.
- Implement a comprehensive, strengths-based measurement system that includes wellbeing indicators such as connection to kin, culture, and community.

Reforming the Child Protection System through Aboriginal-led decision-making

Despite legislation, the New South Wales child protection system continues to place Aboriginal and Torres Strait Islander children and young people into non-Indigenous care at unacceptably high rates. DCJ's public reporting on the number of Aboriginal and Torres Strait Islander children and young people in kinship care conflates three disparate aspects of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) – Aboriginal and Torres Strait Islander children and young people in OOHC who are placed with indigenous relatives or kin, placed with non-indigenous relatives or kin and those who are placed with unrelated Aboriginal and Torres Strait Islander carers – see figure 2.

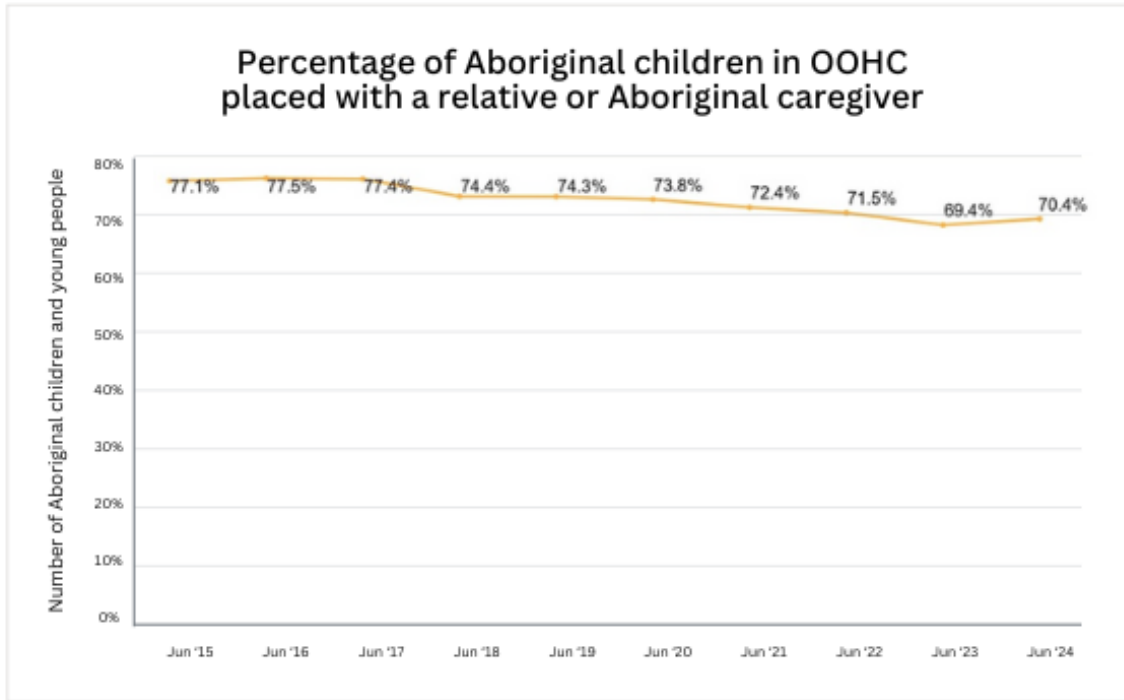


Figure 2 Percentage of Aboriginal Children in OOHC placed with a relative or aboriginal caregiver from [DCJ Annual Statistical Report 2023-24](#)

Given this is one of only eight indicators included in the Aboriginal Children in OOHC section of DCJ's annual report it lacks sufficient granularity to understand how the ATSI CPP is being implemented in New South Wales. This is confusing; and especially so as some of this data is reported by DCJ elsewhere. For example, AbSec produced figure 3, shows the rate of Aboriginal Children and Young People in OOHC placed with Aboriginal relatives or Kin, the first step on the ATSI CPP hierarchy.

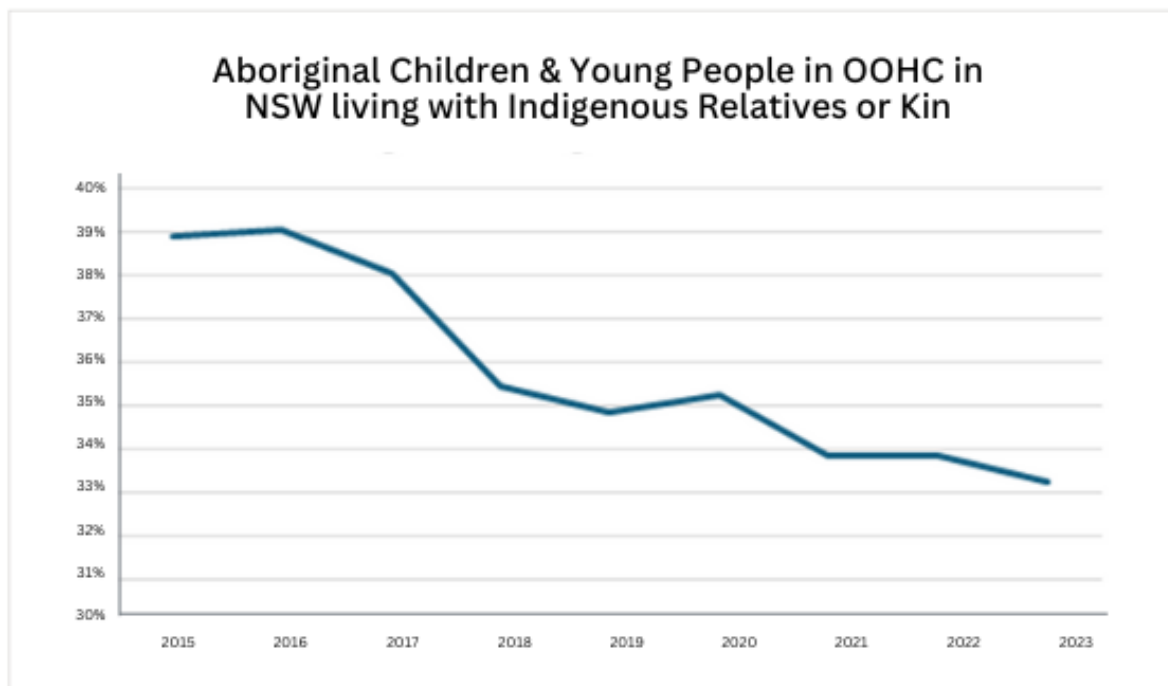


Figure 3 Aboriginal Children and Young People in NSW placed with Indigenous relatives or kin

In this way, the data provided in figure 2 is not conducive to understanding how the ATSI CPP is being applied in New South Wales. At a minimum, data that is reported publicly should be sufficiently granular to understand the numbers of Aboriginal children and young people placed into each tier of the ATSI CPP hierarchy and how those numbers are changing over time, such as in figure 3.

The failure to fully implement- and publicly report- the ATSI CPP limits transparency and efforts to keep children and young people connected to family, community, and culture.

Recommendations:

- Require sufficient granularity in reporting to understand how much Aboriginal children are cared for by their own families and kin, as distinct from other types of care.
- Require that all child protection decisions affecting Aboriginal children are made in partnership with ACCOs through Family Group Conferencing and Aboriginal Family-Led Decision-Making (AFLDM).
- Implement the ATSI CPP to the standard of 'Active Efforts,' with clear, enforceable requirements to prevent removal and prioritise reunification.

Strengths based measures and measuring wellness

Current measurement approaches often focus on deficit-based indicators, failing to capture the strengths and resilience of Aboriginal and Torres Strait Islander communities. Strengths-based measures acknowledge the cultural, social, and community assets that contribute to positive outcomes for Aboriginal children, young people and families.

Key Principles for Strengths-Based Measurement:

- Measuring the extent to which Aboriginal children and young people in OOHC maintain strong cultural identity, relationships with kin, and participation in cultural practices.
- Develop measures that reflect the aspirations and strengths of Aboriginal and Torres Strait Islander families and communities, rather than solely focusing on compliance-based administrative data.
- Expand data collection beyond OOHC placement rates to include indicators of family wellbeing, school engagement, and long-term stability.
- Ensure that Aboriginal-led organisations oversee data collection, analysis, and reporting to reflect culturally informed measures of success.

Recommendations:

- Embed Indigenous Data Sovereignty principles in all measurement frameworks for Closing the Gap targets.
- Develop a national set of Aboriginal and Torres Strait Islander-defined wellbeing indicators that complement existing measures of child safety and welfare.
- Invest in community-led research to co-design strengths-based indicators that reflect Aboriginal and Torres Strait Islander concepts of success and resilience.

Conclusion

The current trajectory of progress means that Target 12 will not be met. Without structural reforms, a commitment to Indigenous data sovereignty, and a significant shift in funding towards ACCOs, the situation will not improve.

AbSec urges the Senate Committee to support policy and legislative reform that empowers Aboriginal communities to lead solutions for their children and families and to bring significantly greater transparency to what matters in addressing progress towards Target 12.

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Purpose of the Submission

This submission is prepared specifically for the [Senate Select Committee: Measuring Outcomes for First Nations Communities](#) and is intended to contribute to the deliberations of this body. It should not be used for any other purpose without the express consent of AbSec.

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