



**Submission to the Review of Child Safety
Arrangements under the National Quality
Framework.**

June 2025

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Acknowledgement of Country

AbSec acknowledge 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. As a member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) and the lead 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 as part of the Review of Child Safety Arrangements under the National Quality Framework.

Executive summary

AbSec welcomes the opportunity to contribute to the Review of Child Safety Arrangements under the National Quality Framework. This review offers a vital opportunity to consider how policy, regulation and practice can better support Aboriginal and Torres Strait Islander children, young people, and families. It is also a chance for governments to work in genuine partnership with Aboriginal peak bodies and communities to co-design solutions that are culturally safe, community-led and sustainable.

There remain structural barriers that limit Aboriginal and Torres Strait Islander families' access to safe and supportive care environments. These barriers are often compounded by complex histories of systemic racism, violence and ongoing discrimination. AbSec's submission seeks to provide insight into how these issues manifest in relation to Working With Children Checks (WWCC) and child safety training, and to propose practical reforms based on community-identified needs and priorities.

All staff at AbSec are required to hold a current Working with Children Check, and as the state peak for Aboriginal children, families and communities, almost all of our 56 member organisations and more than 450 individual members carry the privilege and the responsibility of working with children. Many of these professionals also undertake child safety training.

Methodology

This submission draws on insights collected through targeted data collection of Aboriginal Community Controlled Organisations (ACCOs), carers, community members and Aboriginal and Torres Strait Islander staff working in education and care services in New South Wales and Victoria.

AbSec gathered quantitative and qualitative data about experiences with WWCC, access to and perceptions of child protection and safety training, and views on the policy options outlined in the National Child Safety Review Consultation Regulation Impact Statements.

Key Themes from Community Responses

1. Challenges with the WWCC Process

Participants identified a range of barriers in applying for or renewing a WWCC. These include the disproportionate impact of historical criminal records on Aboriginal and Torres Strait Islander applicants, difficulties obtaining identification or navigating online systems—particularly for those living in remote communities—and significant delays in application processing. These delays often cause individuals to lose employment opportunities or income.

There is also a widespread sense of mistrust towards the system, which many participants attribute to historical and ongoing government surveillance, racial profiling, and systemic discrimination. As one participant explained, “Systemic discrimination leading to over-incarceration means more mob have criminal records.” Whilst another noted that “Aboriginal and Torres Strait Islander people are the highest percentage of incarcerated people,” suggesting that the WWCC system fails to adequately consider this broader context.

Several participants also felt the assessment process lacked fairness and transparency. The system does not always recognise the complexity of an individual’s life circumstances or the positive changes they may have made. As one participant shared, “It doesn’t really take into account the complexity of personal situations at a historical time and change in current circumstances that show progress.” Participants also emphasised the need for the decision to be individualised, making apparent the issue of being denied due to offences “not relating to child protection or violence” or the offence of “carnal knowledge despite still being married.”

Ultimately, there was consensus that WWCC-related challenges directly reduce the ability of services to recruit and retain Aboriginal and Torres Strait Islander staff, volunteers and carers. By doing so, current WWCC processes undermine efforts to deliver culturally appropriate care and weaken community-led responses to child safety.

2. Views on Policy Options for WWCC

Participants overwhelmingly rejected Option 1 (maintaining the status quo), which was viewed as inadequate and unresponsive to the needs of Aboriginal communities.

Option 2, which proposes non-regulatory guidance and training, was supported on the condition that resources are culturally tailored, accessible, and developed in partnership with ACCOs.

Views on Option 3, which would introduce new regulatory requirements, were mixed. Some participants saw value in standardising processes and strengthening child safety. However, there were significant concerns that mandatory checks prior to employment or volunteering could unintentionally exclude Aboriginal and Torres Strait Islander applicants; particularly where support services, flexibility, or culturally safe assessment processes are lacking. There was conditional support *for this option* if it is accompanied by dedicated resources for ACCOs and the co-design of safeguards to prevent discrimination.

3. Risks of Stricter WWCC Rules

Survey participants highlighted several risks if WWCC regulations become more stringent without the necessary support structures. These include a reduction in Aboriginal and Torres Strait Islander staff and volunteer participation in the education and care sector, loss of trust in services that are perceived to exclude community members and increased cultural disconnection for children due to a lack of Aboriginal and Torres Strait Islander presence in care environments.

Participants also expressed concern that stricter rules would further embed culturally unsafe service delivery by discouraging engagement from the very people, best placed, to support Aboriginal and Torres Strait Islander children and families.

4. Recommended Improvements to the WWCC System

Participants called for several practical reforms to improve the fairness and accessibility of the WWCC system for Aboriginal and Torres Strait Islander peoples. These are:

- embedding cultural safety principles in risk assessments
- improving transparency by providing clearer reasons for refusals
- strengthening appeal and review processes
- offering fee waivers and logistical support (particularly for those facing challenges accessing ID or digital systems) and
- formally recognising the value of community and cultural roles in assessing suitability.

Child Safety Training – Feedback and Preferences

1. Current Experience and Gaps in Training

Many participants reported that their ACCOs currently provide child protection training, particularly for staff working directly with children. However, there was limited access to broader child safety training that takes a proactive, preventative approach. Participants also noted that existing training often lacks cultural relevance and does not address the specific needs or realities of Aboriginal families and communities.

Key gaps identified include:

- the absence of Aboriginal-specific content
- the lack of mandated refresher training, and
- a limited focus on proactive child safety measures.

Participants highlighted the need for training that is informative, practical, strengths-based, and designed by Aboriginal people for Aboriginal people.

2. Preferences for Policy Options

Option 6 (mandating high-quality, nationally consistent child safety training with a two-year refresher requirement) received the most consistent support. Participants saw this as essential to improving workforce capability, reducing risk, and ensuring that child safety remains an ongoing priority. There was also strong support for:

- Option 2 (non-regulatory guidance) as a foundation for consistent training across jurisdictions—provided it is developed with input from Aboriginal communities and organisations.
- Option 4 (mandating training for all staff working with children)
- Option 5 (ensuring all staff are aware of child protection law), which was seen as an important, low-cost initiative. For instance, comments include “Education around the system and how it works is important”

Option 3 (mandating training for supervisors and Family Day Care coordinators) received lukewarm support, as it was viewed as the bare minimum rather than a comprehensive solution.

4. Equity and Implementation Considerations

Participants emphasised that any mandatory training requirements must be implemented consistently and equitably across the workforce working with children. Remote services, casual staff, and volunteers may face disproportionate challenges in meeting new requirements without the provision of targeted support.

Participants recommended that governments provide funding for backfilling staff, making available free or low-cost online training options, and to prioritise delivery through ACCOs and First Nations trainers. They strongly recommend that training is tailored to community realities and reflects strengths, not just regulatory compliance.

Regarding the likelihood of the proposed changes improving outcomes for children, a common theme of participants is identifying the need for training to actively disrupt racist attitudes, with one participant commenting that it “depends if the training challenges participants on their bias.”

Conclusion and key recommendations

AbSec supports a balanced and community-informed approach to both Working With Children Checks and child safety training.

1. For WWCC, we recommend Option 2 (guidance) in combination with Option 3 (regulatory change), contingent upon the introduction of appropriate safeguards and resources for ACCOs.
2. For child safety training, we strongly support a combination of Options 4, 5 and 6, with particular emphasis on Option 6. Mandatory, nationally consistent training—designed and delivered in partnership with Aboriginal communities—is a critical step toward improving outcomes for all children, particularly Aboriginal children, in education and care settings.
3. To enable successful implementation, governments must ensure that ACCOs are adequately resourced, that training is culturally relevant, and that Aboriginal and Torres Strait Islander voices remain central to policy design and review processes.

We thank the National Child Safety Review Panel for the opportunity to contribute to this important work and urge continued, meaningful collaboration with Aboriginal peak bodies and communities.

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Purpose of the Submission

This submission is prepared specifically for the Review of Child Safety Arrangements under the National Quality Framework and is intended to contribute to the deliberations of this review. It should not be used for any other purpose without the express consent of AbSec.

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