



AbSec

NSW Child, Family & Community
Peak Aboriginal Corporation

Government Service Delivery Standards in NSW

Uplifting service delivery standards and
ensuring more consistent, culturally safe
support for vulnerable communities.

January 2026



AbSec

NSW Child, Family & Community
Peak Aboriginal Corporation

AbSec is the peak organisation advocating for the rights, safety, and wellbeing of Aboriginal and Torres Strait Islander children, young people, families, and communities in New South Wales.

As an Aboriginal-led organisation, we champion self-determination and work towards a child and family system that is culturally safe, community-driven, and responsive to the needs of Aboriginal and Torres Strait Islander peoples.

AbSec leads policy reform, strengthens the capacity of Aboriginal Community-Controlled Organisations (ACCOs), and ensures that Aboriginal and Torres Strait Islander children and young people remain connected to family, community, and culture. We are a key member of the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) and the primary organisation responsible for Target 12 under Closing the Gap.

Through advocacy, research, and sector leadership, AbSec works to address the disproportionate representation of Aboriginal and Torres Strait Islander children in out-of-home care and promote holistic, community-led approaches to child and family wellbeing. Our commitment is to ensuring that Aboriginal and Torres Strait Islander children and young people grow up strong in culture, identity, and connection.

Our vision is that all Aboriginal and Torres Strait Islander children and young people are looked after in safe, thriving Aboriginal and Torres Strait Islander families and communities, raised strong in spirit and identity, with every opportunity for lifelong wellbeing and connection to culture, and surrounded by holistic supports.

In working towards this vision, we are guided by these principles:

- Acknowledging and respecting the diversity and knowledge of Aboriginal and Torres Strait Islander communities.
- Acting with professionalism and integrity in striving for quality, culturally responsive services and supports for Aboriginal and Torres Strait Islander families and communities.
- Underpinning the rights of Aboriginal and Torres Strait Islander people to develop our own processes and systems for our communities, particularly in meeting the needs of our children, young people, families and carers.
- Being holistic, integrated and solutions-focused through Aboriginal and Torres Strait Islander control in delivering outcomes for Aboriginal and Torres Strait Islander children, young people, families and communities.
- Committing to a future that empowers Aboriginal and Torres Strait Islander families and communities, representing our communities, and the agencies there to serve them, with transparency and drive.

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.

We extend that respect to all Aboriginal and Torres Strait Islander peoples across the lands we serve.

Executive summary

AbSec welcomes the New South Wales Parliament's Inquiry into Government service delivery standards in regional NSW. The Inquiry presents a crucial opportunity to highlight the chronic lack of oversight, transparency and accountability within the statutory child protection system, issues which are particularly pronounced in regional and remote areas and for Aboriginal and Torres Strait Islander people. The establishment of an independent New South Wales Child Safety and Wellbeing Commission with an associated Commissioner for Aboriginal and Torres Strait Islander children and young people is a practical, cost-effective, and long overdue reform. It will ensure more consistent standards, uplift service delivery and deliver better outcomes for the most vulnerable members of regional communities in NSW.

Recommendations

1. The NSW Government should commit to establishing an independent NSW Child Safety and Wellbeing Commission with a statutory Commissioner for Aboriginal and Torres Strait Islander children and young people that has oversight over Department of Communities and Justice (DCJ) and all funded child protection and out of home care (OOHC) service providers.
2. The Commission should be vested with powers to collect, audit and publicly report statewide child protection and OOHC outcomes, quality indicators, service access, and compliance with Child Safe Standards data, disaggregated by region, Aboriginality, and other relevant factors.
3. The Commission should have the authority to review and audit compliance by all providers (government and non-government), compel corrective actions, and recommend enforcement actions, improvements or contract terminations where standards are not met.
4. The Commission should oversee a shift of funding and policy toward upstream / pre-statutory supports including prevention, early intervention and family support that keeps children safe and together with their family and prioritising service delivery by Aboriginal Community-Controlled Organisations (ACCOs) for assistance to Aboriginal and Torres Strait Islander children and families, particularly for regional and remote areas.

Chronic System Issues are not being addressed

For decades now, the New South Wales child protection and OOHC systems have been the subject of condemnatory reports from key governmental oversight bodies and other experts. These inquiries and reviews have repeatedly outlined major structural issues endemic to the system. Government responses to these independent reports have never achieved the systemic and structural changes required. Rather, a ritualistic pattern of rhetoric about significant reforms has not delivered any substantive improvement in outcomes, with numbers of Aboriginal and Torres Strait Islander children and young people increasing across the child protection system and in OOHC, and especially so in regional NSW.

This pattern was recently laid bare in an inquiry into the oversight of the child protection system report by the NSW Audit Office in 2024 “The NSW child protection system is inefficient, ineffective, and unsustainable. Despite recommendations from numerous reviews, DCJ has not redirected its resources from a ‘crisis driven’ model”.¹ Regarding DCJ’s inability to reform itself, the Audit Office found that DCJ’s organisational structure and governance arrangement changes do not enable system reform. For instance, they point to more than 30 child protection governance committees without clarity over how decisions are made or communicated, and no clarity about which part of DCJ is responsible for leading system improvement.

The report also found significant inconsistency in policy and practice in the department’s day to day operations. DCJ’s assessments of child protection reports are labour intensive and repetitive, reducing the time caseworkers have to properly assess risk and meaningfully support families with information, advice and early intervention services to address potential risks. The proportion of Aboriginal and Torres Strait Islander children and young people reported at risk of significant harm (ROSH) who were visited by a DCJ caseworker has declined from 46% in 2020 to 30% in 2024². For the same period the proportion of non-Indigenous children and young people reported at ROSH who were seen by a caseworker declined from 27% to 18% statewide. This trend is more pronounced in regional NSW with the proportion of all children reported at ROSH who were seen by a caseworker in Far West NSW for instance, falling from 37% to 15% across 2020-24³.

DCJ’s investments in services are also not sufficiently evidence-informed owing to the department lacking data about the therapeutic service needs of children and families⁴. Consequently, DCJ is unable to provide relevant services for families engaged in the child protection system and is not meeting its legislated responsibility to ensure that families have access to services and to prevent children from being removed to OOHC. DCJ also does not monitor the wellbeing of children in OOHC and so they do not meet

¹ Audit Office of New South Wales, [Oversight of the child protection system](#), 2024

² DCJ, [Aboriginal-led Data Sharing Dashboard](#)

³ DCJ, [Aboriginal-led Data Sharing Dashboard](#)

⁴ Audit Office of New South Wales, [Oversight of the child protection system](#), 2024

their legislative responsibility to ensure that children 'receive such care and protection as is necessary for their safety, welfare and well-being'.

Service Needs in Regional NSW

The Australian Bureau of Statistics' Census of Population and Housing is the most reliable and comprehensive data available for the population and place of residence of Aboriginal and Torres Strait Islander children and young people in NSW.

The most recent census data indicates that 53% of Aboriginal and Torres Strait Islander children and young people in NSW live in regional and remote areas. Of the remaining 47%, more than half (27%) live outside metropolitan Sydney. In contrast, non-Indigenous children are far more likely to live in major cities with 78% of non-Indigenous children residing in major cities in NSW (see figure 1).

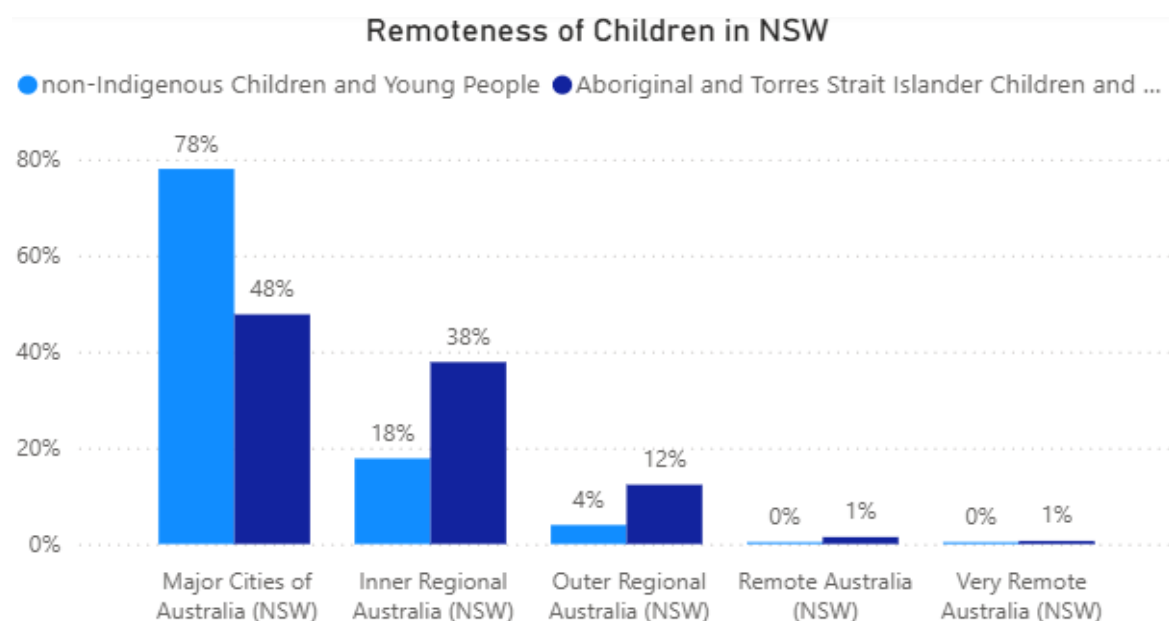


Figure 1 NSW Aboriginal and Torres Strait Islander Population aged 0-17, Source: ABS 2021 Census of Population and Housing

Children in Out-of-home care

There is a clear correlation between the remoteness of a region and the proportion of children in OOHC who are Aboriginal and/or Torres Strait Islander. Publicly available DCJ data shows that six of seven LGAs where more than 90% of children in OOHC are in Murrumbidgee, Western and Far Western NSW District (see figure 2).

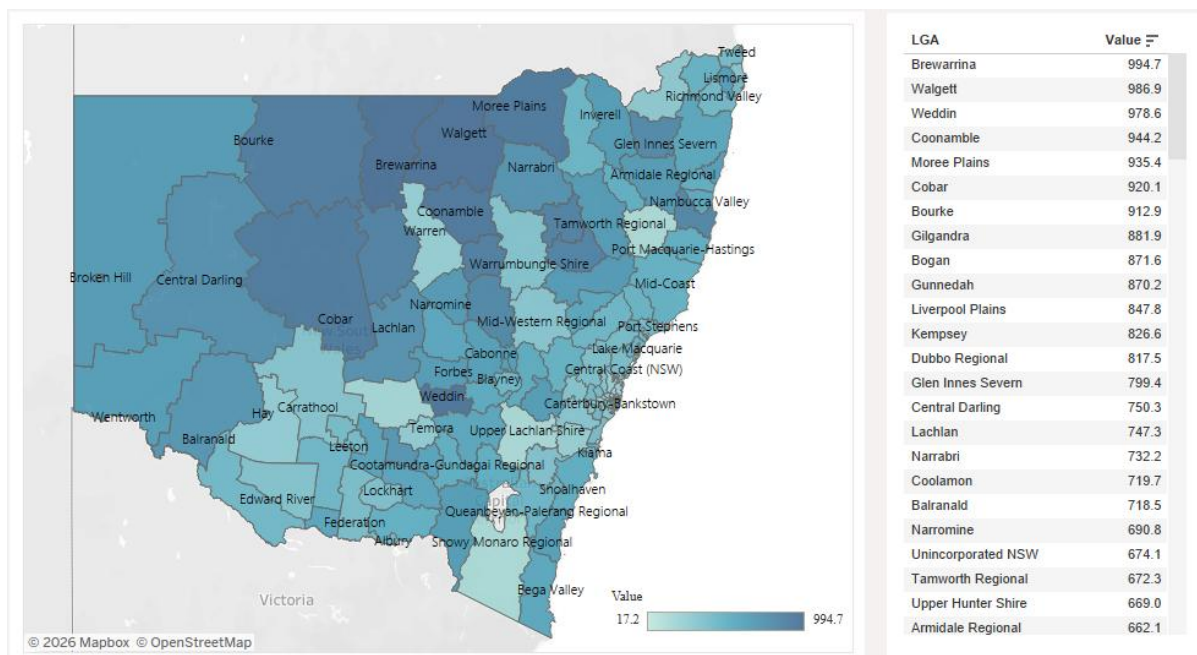


Figure 2 DCJ [Child Protection and Out-of-Home Care Data Local Government Area Heat Maps](#)

Funding is not transparent or aligned to the needs of regional communities

Aboriginal and Torres Strait Islander children and families need expanded services in regional and remote communities that can meet their support, cultural and community needs. ACCOs are the best placed organisations to provide this assistance; yet in 2025, DCJ allocated just 2% of its NGO funding to ACCO Family Preservation and Targeted Earlier Intervention services. These are the services that aim to keep children safe and together with their families and prevent children from being removed from their families⁵.

While this is deeply concerning in and of itself, the full picture is not transparent as DCJ only publishes funding it allocates to NGOs to deliver child protection and OOHC services. There is no publicly available information about the costs associated with the services DCJ provides directly. Given DCJ holds case management responsibility for 42% of all children in OOHC, their funding allocation is significant. The picture is worse in regional parts of NSW, with DCJ holding case management responsibility for nearly all children in the Murrumbidgee and Far Western NSW regions last year⁶.

Decades of ‘Business as usual’ reforms have failed

Decades of reform under frameworks like Keep Them Safe have failed to deliver a consistent, high-quality OOHC system. The 2016 Tune review found the NSW OOHC system to be “ineffective and unsustainable” with funding disproportionately weighted to OOHC at the expense of early intervention and prevention⁷. Following the Tune Report, DCJ began rolling out the Permanency Support Program (PSP) in 2017, intended to be

⁵ DCJ [Aboriginal-led Data Sharing Dashboard](#)

⁶ DCJ [Aboriginal-led Data Sharing Dashboard](#)

⁷ David Tune AO PSM, [Independent Review of Out-of-home care in New South Wales](#), 2015

one of the most significant OOHC reforms in decades, but one which overwhelmingly still weighted funding towards statutory service provision. The Centre for Evidence and Implementation's 2023 final report of their evaluation of the PSP program found little evidence that the program was achieving its intended outcomes with costs far outstripping benefits⁸.

For Aboriginal and Torres Strait Islander children, inequities persist. Previous submissions by AbSec and other stakeholders have called for a culturally competent oversight mechanism, adequate resourcing for ACCOs, and an end to over-reliance on non-Aboriginal carers or guardianship where cultural connection is lost. Despite piecemeal reforms and mooted reforms for OOHC that the Government are poised to announce, changes are insufficient. These will remain so, for as long as DCJ investigates risks to children, makes decisions to remove children, funds services, monitors itself, and responds to complaints. The impacts include:

- a) Families experience the system as biased because DCJ makes decisions about them and investigates complaints about those decisions. Families and communities have no place they trust to raise concerns, challenge decisions and make complaints⁹.
- b) No transparent body assesses whether DCJ follows the law, uses evidence-based practice or treats families fairly. All independent reviews of NSW child protection and OOHC systems report inconsistent and poor-quality decision making and systems that often harm children. For example, see *Protecting Children at Risk* by the NSW Ombudsman (2024) which found DCJ is not fulfilling any of its core responsibilities.
- c) Harmful practices can persist for years unchecked. When DCJ holds the power in the system and holds oversight, children's safety and family rights are at risk. For example, multiple systemic reviews find the OOHC system has major oversight and accountability gaps that undermine children's safety.
- d) Frontline decisions are inconsistent because there are no independent standard setting, accountability and measurement.

This Inquiry's terms of reference explicitly recognise the risk that outsourced or third-party providers in regional NSW may deliver sub-standard services and that performance measurement, reporting frameworks and accountability mechanisms may be weak or inconsistent. Numerous reviews of the NSW child protection and OOHC systems have found that DCJ has not established the necessary monitoring and accountability mechanisms required to understand how spending in the sector translates to service delivery or outcomes. This is especially evident in DCJ's own review

⁸ Rose et al, Centre for Evidence and Implementation, Evaluation of the Permanency Support Program: [Final Report](#), 2023

⁹ NSW Ombudsman, [Review of DCJ Complaint System](#) (Aboriginal Child Protection Functions), 2024

of the system which found that despite declining numbers of children in OOHC costs increased by 45% in the last 5 years¹⁰.

For vulnerable children, particularly Aboriginal children in rural and remote communities, this gap translates into real risk: lack of transparent oversight, inconsistent standards, over-representation at every stage of the child protection system including in statutory care and residential homes, and minimal opportunity for public scrutiny or advocacy.

Conclusion

The New South Wales child protection and OOHC systems are hugely expensive and growing rapidly. In 2024-25 alone DCJ's child protection budget was \$3.2 billion of which OOHC expenditure was more than \$2 billion¹¹. This already substantial level of expenditure is set to increase further following the approval of an additional \$1.2 billion for OOHC in the most recent budget¹². Since the budget was announced details have gradually emerged of DCJ's plans for the funding which includes a significant focus on the expansion of state-run services.

This agenda is already well under way, with \$191 million committed to recruiting and retaining DCJ caseworkers and a further \$50 million for government-owned residential care homes. The latter announcement is of particular concern following IPART's recent report on OOHC costs and pricing which found residential care is one of the most expensive placement types with costs exceeding \$150,000 per child and more than \$1 million per home annually¹³. While IPART did recommend the government establish residential homes to address an immediate shortfall it also stressed the critical importance of also expanding earlier interventions to avoid entries to High-Cost Emergency Arrangements and residential care.

Released just months after IPART's interim report, DCJ's own review into the OOHC system found 'a system characterised by a profound lack of accountability and ineffective oversight that fails to meet the needs of children and young people at an efficient cost'¹⁴. Consistent with the many similar reports, the DCJ review team concluded that increasing funding for early intervention and prevention supports is critical to prevent child removals and address spiralling OOHC costs. Despite this recommendation from their own report, DCJ increased funding for the PSP program by \$155 million, increasing the total proportion of child protection funding allocated to statutory OOHC to 80% up from 76.6% in 2024¹⁵.

¹⁰ DCJ, [System review into out-of-home care](#), 2024

¹¹ DCJ, [System review into out-of-home care](#), 2024, p. 15

¹² DCJ, [Media Release](#), January 2026

¹³ IPART, OOHC Costs and Pricing, [Final Report](#), 2025

¹⁴ DCJ, [System review into out-of-home care](#), 2024

¹⁵ DCJ, [Aboriginal-led Data Sharing Dashboard](#), 2024

Recommendation

Establish NSW Child Safety and Wellbeing Commission & Commissioner

This submission has sought to lay out the DCJ's inability to self-oversee, self-regulate and reform. As set out, DCJ cannot reasonably be expected to investigate risks to children, make decisions to remove children, fund services, monitor itself, and respond to complaints. DCJ cannot be independent and the public- taxpayers and families that are interacting with these systems- must have trust and confidence in the system and not fear making complaints.

To address these shortcomings, AbSec recommends the establishment of an independent, statutory, statewide oversight body: the NSW Child Safety and Wellbeing Commission, led by an empowered Commissioner. The Commission will have at least one Aboriginal or Torres Strait Islander Commissioner in recognition of the significant over-representation of Aboriginal and Torres Strait Islander children across the child protection and OOHC systems. The Commissioner will have a broader mandate to look at all government systems and services on behalf of Aboriginal and Torres Strait Islander children and young people.

Key functions of this Commission include:

- Accreditation and monitoring of OOHC providers.
- Reviewing the circumstances of children in OOHC, including the power to apply to the NSW Children's Court to vary or revoke care orders
- Monitoring the implementation of the Aboriginal Case Management Policy and providing quality assurance through case file reviews
- Conducting inquiries into systemic issues, and
- Making recommendations to improve child protection policy and practice.

To establish such a Commission will heed the expert advice of decades of reviews and reports and calls from across NSW and the sector, including giving life to recommendations set out in the Family is Culture review led by Professor Megan Davis¹⁶. It offers the scope to bring transparency to the more challenging service contexts for children, families and communities within regional and remote NSW, set service standards and to monitor and report on performance in ways that can drive service and practice improvement.

¹⁶ Family is Culture: Independent Review of Aboriginal Children and Young People in OOHC in NSW (2019)

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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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