



THE FAMILY MATTERS REPORT 2020: KEY FINDINGS BRIEF

How to use this brief:

- *The Family Matters Report 2020* is launched online on Monday 16 November 2020 at 3.30pm AEDT (3pm SA, 2.30pm Qld, 2pm NT, 12.30pm WA) and we want you to help Australia take notice.
- Use these briefing notes and contact **Mark Jeffery** media@snaicc.org.au / **0419 732 583** to arrange an interview with a campaign spokesperson.
- Share *The Family Matters Report 2020* (available www.familymatters.org.au) and its findings as widely as possible on your social media platforms including **#FamilyMattersReport2020** **#OurMobsMatter** after 7am AEDT, on Monday 16 November 2020.
- Support the Family Matters campaign by signing our [Statement of Commitment](#) and [endorse our call](#) for a national commissioner for Aboriginal and Torres Strait Islander children and young people

The disparities between Aboriginal and Torres Strait Islander and non-Indigenous children across child protection systems continue to increase dramatically. Without urgent action, the number of Aboriginal and Torres Strait Islander children in out-of-home care is projected to double by 2029. In 2019, **Aboriginal and Torres Strait Islander children were 9.7 times more likely than non-Indigenous children to be in out-of-home care, an over-representation that has increased consistently over the last 10 years.**

The new *National Agreement on Closing the Gap* was signed in 2020 and includes a target to **reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031.**

This target can be met with serious commitment to improving child protection systems on a national, state and territory level.

WHAT IS FAMILY MATTERS?

Family Matters – Strong communities. Strong culture. Stronger children. is Australia's national campaign to ensure Aboriginal and Torres Strait Islander children and young people grow up safe and cared for in family, community and culture.

OUR GOAL is to eliminate the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 2040.

Family Matters is led by SNAICC – National Voice for our Children and a group of eminent Aboriginal and Torres Strait Islander leaders from across the country. The campaign is supported by a Strategic Alliance of over 150 Aboriginal and Torres Strait Islander and non-Indigenous organisations. The campaign presents a unified voice across the country and across sectors to ensure our children grow up safely in their home, receive a good education, and grow up healthy and proud of who they are.

Since 2016, the campaign has released an annual Family Matters report that examines how Australia is faring in improving the safety and wellbeing of Aboriginal and Torres Strait Islander children.

It is clear from this year's report that without substantial efforts to refocus policy and investment on prevention and early intervention, children will continue to be at risk of separation from their families, communities and cultures.

KEY FINDINGS OF THE FAMILY MATTERS REPORT 2020

- The crisis of over-representation of Aboriginal and Torres Strait Islander children in Australia's child protection systems continues to escalate at an alarming rate. Aboriginal and Torres Strait Islander children are **37%** of the total out-of-home care population – a **staggering 20,077 children** – but they represent only **6%** of the total population of children in Australia.
- Aboriginal and Torres Strait Islander children are now **9.7 times** more likely to be removed from their families than non-Indigenous children – an over-representation that has increased consistently over the last 10 years. Nationally, 4,289 Aboriginal and Torres Strait Islander children were admitted to out-of-home care in 2018-19 at a rate of 13 per 1,000 children
- Data projections suggest that the number of Aboriginal and Torres Strait Islander children in care will **more than double by 2029** if we do not change our course of action.
- Since 2013, the rate of Aboriginal and Torres Strait Islander children in out-of-home care placed with Aboriginal and Torres Strait Islander carers has dropped significantly from **53.6% to 43.8%** in 2019.
- Aboriginal and Torres Strait Islander children in out-of-home care are at serious risk of permanent separation from their families, cultures and communities. A staggering **81% (16,287)** of Aboriginal and Torres Strait Islander children are on long-term (permanent to age 18) guardianship, custody or third-party parental responsibility orders. By far the highest number

of these children in any given state or territory are in New South Wales (7,126 children or 44%), followed by Queensland (2,782 children or 17%).

- In New South Wales, Aboriginal and Torres Strait Islander children are nearly **twice (1.7 x)** as likely to be on a long-term third-party permanent care order compared with the national average.
- There has been a spike in adoptions of Aboriginal and Torres Strait Islander children with 19 adoptions in the last year. Of these, **95%** of adoptions of our children have been to non-Indigenous carers. All of those adoptions occurred in New South Wales and Victoria.
- Once a child is in the child protection system, the chances of reunification with their family is low. There is a lack of focus and supports for families to safely reunify. In 2019, only 26% of Aboriginal and Torres Strait Islander children in out-of-home care (not including permanent care orders) were assessed as having a possibility of reunification with their families, compared to 37% of non-Indigenous children. Of those children, only 19% were reunified with their family.
- Data analysed in the Family Matters report does not fall within the time frame of the COVID-19 pandemic, yet given the significance of this event, the report highlights the disproportionate impact of COVID-19 on Aboriginal and Torres Strait Islander children and families, and adaptability of Aboriginal community-controlled organisations to meet the needs of families during the pandemic.

THE DATA STORY

- New population estimates from the Australian Bureau of Statistics show the number of Aboriginal and Torres Strait Islander children in Australia has gone up, meaning that their representation in the system is slightly lower than previously thought. Unfortunately, this does not change the numbers of Aboriginal and Torres Strait Islander children in out-of-home care and does not mean that the situation has improved.
- All states and territories have excluded children on permanent care orders from their out-of-home care data, even though these children have been removed from their parents by the state. Over 2000 Aboriginal and Torres Strait Islander children who were made invisible in the data by this change, have been re-added to the data in *The Family Matters Report 2020*.
- It is important that we have data to understand the journey of our children in the child protection system. This is the first step to being able to identify solutions to fix the problem. The report identifies areas where further data is needed if we are to remain accountable and dedicated to reducing over-representation of our children.

THE CHALLENGES

- Institutional racism leads to unfair and unjust outcomes for Aboriginal and Torres Strait Islander children. Instances of language barriers and misconceptions have led to the removal of a child, with the family having limited support to fight the system.

- The trauma associated with child removal is as prevalent now as it has been, and continues to be, for the Stolen Generations. Aboriginal and Torres Strait Islander children experience intergenerational trauma and disadvantage during early childhood. They are **2.5 times** more likely to be developmentally vulnerable in two or more domains by the age of five, and 28% less likely to attend early childhood education and care than non-Indigenous children.
- Aboriginal and Torres Strait Islander babies are twice as likely to have a low birthweight than non-Indigenous babies. There is also a very high rate of removal of infants less than one year old into out-of-home care. Not all states and territories report unborn child notifications, but those that do, have shown a significant increase. New South Wales reported 218 unborn notifications in 2018, which has more than doubled to 595 in 2019.
- Household income and access to safe and healthy housing have a substantial impact on the capacity of families to provide safe and supportive care for children. Aboriginal and Torres Strait Islander families are **10 times** more likely to live in social housing than non-Indigenous families. Nearly one in three (31.4%) Aboriginal and Torres Strait Islander people are living below the poverty line.
- The *National Framework for Protecting Australia's Children 2009–2020* committed to an increased focus on prevention and early intervention to redress the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care. However, in 2018-19 only **16%** of child protection funding was invested in support services for children and their families, while **84%** was invested in child protection services and out-of-home care. This proportion has reduced slightly over the past four years.
- Investment in child protection and family support services through Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) is limited compared to the percentage of Aboriginal and Torres Strait Islander children in out-of-home care. In 2018-19:
 - New South Wales spent the most on ACCOs at 5.9%, however three-quarters is spent on out-of-home care services
 - Queensland invests far more than any other jurisdiction in ACCOs to provide family support (14%) and intensive family support services (24%), however overall only 4.8% of child protection investment is spent on ACCOs while 44% of children in care in Queensland are Aboriginal and Torres Strait Islander.

PROMISING INITIATIVES

- Legislation in Queensland and Victoria includes strong requirements for the participation of Aboriginal and Torres Strait Islander children, families and communities in child protection processes. Notably, legislation in both of these states provides for the delegation of statutory powers to ACCOs, creating the potential for enabling higher levels of self-determination and meaningful participation in child protection matters. Victoria has begun delegations to three Aboriginal agencies, with promising early results detailed in the report.

- Commissioners for Aboriginal and Torres Strait Islander children have been appointed in Victoria, South Australia, and Queensland providing critical oversight and accountability for improving child protection systems and outcomes for Aboriginal and Torres Strait Islander children.

THE SOLUTIONS

1. Develop a national Aboriginal and Torres Strait Islander children's strategy that is aligned to achieve the Closing the Gap target to reduce the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45% by 2031, by addressing the causes of child removal.
2. Increase investment in universal and targeted early intervention and prevention, including family support and reunification services.
3. Invest in Aboriginal and Torres Strait Islander community-controlled integrated early years services through a new specific funding model and program designed to meet the needs of our children and families.
4. Prioritise and increase investment in Aboriginal and Torres Strait Islander service design and delivery by community-controlled organisations in line with self-determination and the aspirations of communities.
5. Establish and support independent Aboriginal and Torres Strait Islander family-led decision-making models in every state and territory, for all families across all significant child protection decision-making points.
6. Expand the delegation of authority to Aboriginal and Torres Strait Islander organisations for statutory child protection functions across Australia.
7. End the policy and practice of adopting Aboriginal and Torres Strait Islander children from out-of-home care and engage with Aboriginal and Torres Strait Islander peoples to create an alternative system of promoting stability and permanency for children, instead of using permanent legal orders.
8. Establish national standards to ensure family support and child protection legislation, policy and practices are in adherence to all five elements of the *Aboriginal and Torres Strait Islander Child Placement Principle*.
9. To establish a commissioner for Aboriginal and Torres Strait Islander children nationally and in every state and territory.
10. For Aboriginal and Torres Strait Islander communities and government to work together to improve data collection.