

EVIDENCE BRIEF

CHILD PROTECTION RISK ASSESSMENT AND ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN AND FAMILIES

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EXECUTIVE SUMMARY

Aboriginal and Torres Strait Islander Peoples in Australia have inherent strengths that are strongly linked to culture, kinship, identity and traditional practices. Child rearing is a collective responsibility within Aboriginal and Torres Strait Islander kinship systems built on trust, shared values and a community focus on the wellbeing of children (Lohoar et al., 2014). Aboriginal and Torres Strait Islander worldviews emphasise relational interconnectedness via ways of knowing, being and doing which support holistic development. At this juncture, relationships with family, community and the environment are paramount (Martin & Mirraboopa, 2003). Aboriginal child rearing has supported child development for over 80,000 years, well before colonial systems, and Aboriginal people continue to demonstrate resilience and adaptive strengths in child rearing (Rigney, 2021).

Aboriginal and Torres Strait Islander people have experienced exclusion, and conditional inclusion at the margins of society since colonisation, facing long-standing oppression and attempts to erase Aboriginal and Torres Strait Islander peoples and cultures (Human Rights and Equal Opportunity Commission (HREOC), 1997). This ongoing exclusion, particularly from mainstream political, social and economic systems, has had deep and lasting impacts. One of the most harmful consequences has been the continued removal of Aboriginal and Torres Strait Islander children from their families, leading to the breakdown of family and kinship systems that are central to Aboriginal and Torres Strait Islander communities and identity (HREOC, 1997). Child protection involvement with Aboriginal and Torres Strait Islander families has continued to cause deep concern within Aboriginal and Torres Strait Islander communities. Particularly with regard to the increasing rate at which Aboriginal and Torres Strait Islander children are being removed despite the recognition of the injustice and impacts of the Stolen Generations and subsequent national apology (SNAICC, 2024; O'Donnell et al., 2019).

This evidence brief provides an overview of Aboriginal child rearing, key differences between collectivist Aboriginal child rearing and Western, nuclear family and child rearing norms, structural racism and inequity in assessment frameworks currently used in Australian child protection systems, and their implications for assessment approaches in child protection going forward. Our evidence brief is premised on the importance of understanding and responding appropriately to colonial history for Aboriginal and Torres Strait Islander people in child protection contexts, understanding the strengths and diversity inherent in Aboriginal and Torres Strait Islander child rearing, and reframing assessment approaches in child protection to appropriately account for colonisation and its impacts, Aboriginal child rearing norms and strengths-based approaches.

Our main contention is that continued Aboriginal and Torres Strait Islander overrepresentation in child protection and out-of-home care systems can be partly addressed through implementation of more culturally-appropriate assessment approaches since current approaches are inappropriate, deficit-oriented and not fit-for-purpose for use with Aboriginal and Torres Strait Islander children and families. The evidence suggests that non-Indigenous frameworks in child protection assessments are a cause for concern. Western developmental frameworks often fail to capture Aboriginal child rearing practices, with Western conceptualisations of child development, families, and child rearing underpinning mainstream screening and assessment tools and frameworks in child protection. Research has found that child protection screening and assessment tools can build in structural inequity and bias that consequently disadvantage Aboriginal people (Jenkins & Tilbury, 2024). This includes assessment of Aboriginal families against irrelevant or unfair criteria and standards that privilege Western norms of parenting according to nuclear family structures. For example, within child protection assessments, reasons such as 'neglect' may also be used to justify removals, yet assessment process may fail to understand or reflect how Aboriginal families raise their children due to a lack of culturally-appropriate assessment (Krakouer, 2023; Newton, 2019). The intergenerational impacts of colonisation have resulted in Aboriginal peoples being disproportionately more likely to experience poverty and disadvantage. Child protection assessment approaches that penalise and hold parents accountable for poverty and needs that are unable to be met by social and health services perpetuate structural racism and the disproportionate removal of Aboriginal children. Furthermore, the evidence shows that contemporary removals may occur without thorough assessments, community consultation, or adherence to key policies such as the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) (SNAICC, 2024).

Key issues for consideration highlighted in this evidence brief include that:

- Overrepresentation begins early in the child protection system at the investigation stage with systemic bias and socio-economic disadvantage experienced by some Aboriginal and Torres Strait Islander families.
- Racial assumptions about parenting contribute to disproportionate surveillance and a cultural misunderstanding of Aboriginal and Torres Strait Islander families' child rearing norms.
- Risk assessments and decision-making in child protection have ingrained structural bias and often reflect Eurocentric, middle-class norms that contribute to higher substantiation rates for Aboriginal families.

The evidence suggests that when western assessment frameworks are applied in child protection contexts without cultural insight, child protection assessments can subsequently overlook the strengths, values and ways of caring that are central to Aboriginal and Torres Strait Islander child rearing practices. Consequently, current child protection assessments of Aboriginal and Torres Strait Islander families are not culturally safe, do not recognise Aboriginal and Torres Strait Islander child rearing practices, and do not recognise the strengths inherent in collectivist, culturally-diverse, ways of child rearing practiced by many Aboriginal and Torres Strait Islander families. We contend that current assessment approaches in child protection therefore act as continuing tools of colonisation that force Western ideals of parenting onto Aboriginal families in order to retain the care of their children. When these Western ideals of child rearing are not met, arguably, this places Aboriginal and Torres Strait Islander people at disproportionate risk of child protection surveillance, investigation and removal, with further challenges created for Aboriginal and Torres Strait Islander families to meet benchmarks set for reunification (Newton et al., 2025).

This evidence brief provides a synthesis and discussion of the implications for the national evidence on assessment in child protection and its impacts on Aboriginal and Torres Strait Islander peoples. Palawa people should be provided the means to consider what might be learned from the national evidence on child protection assessment and Aboriginal and Torres Strait Islander peoples presented in this evidence brief and determine what solutions are best suited for Palawa people.

COLONISATION AND ITS ONGOING IMPACTS

The overrepresentation of Aboriginal and Torres Strait Islander children in child protection today (see Appendix B) is rooted in the legacy of colonisation and government control over Aboriginal families. From the early 1900s, state welfare legislation authorised the forced removal of Aboriginal and Torres Strait Islander children without parental consent or evidence for assimilatory reasons (Human Rights and Equal Opportunity Commission (HREOC), 1997). This practice continued for over six decades, contributing to intergenerational trauma, family disruption, and loss of culture (HREOC, 1997; Krakouer et al., 2018). Widespread poverty, racial discrimination, and lack of access to essential supports were often reframed as "neglect", thus legitimising removals (HREOC, 1997). These practices underpin the disproportionate investigative scrutiny Aboriginal and Torres Strait Islander families continue to experience within contemporary Australian child protection systems (Davis, 2019; Vivian & Halloran, 2022; Yoorrok Justice Commission, 2023). In Victoria, this is recognised in child protection legislation, in Section 7A of the *Children, Youth and Families Act (2005)* (Vic., Austl.) which states:

s. 7A (4) The Parliament recognises that ongoing structural inequality and systemic racism impact Aboriginal people and culture in relation to—

- (a) decision-making in the child protection system; and*
- (b) over-representation of Aboriginal children in the child protection system.*

(5) The Parliament further recognises the survival, resilience and success of Aboriginal families and communities in the face of the devastating impacts of these colonisation, dispossession and assimilation policies.

This statement provides a government level acknowledgement of historical, systemic and contemporary harms experienced by Aboriginal and Torres Strait Islander children and families within past and present child protection systems. It also signifies the impact of history in relation to contemporary child protection practices, including decision-making, for Aboriginal and Torres Strait Islander people. This history must be taken into account in any considerations of contemporary child protection matters.

ABORIGINAL AND TORRES STRAIT ISLANDER CHILD REARING

Aboriginal and Torres Strait Islander child rearing values autonomy and relational ways of being. Bonding and attachment for Aboriginal and Torres Strait Islander children is key to identity and belonging, yet it occurs within extended familial and community care networks where responsibility for child rearing is shared among multiple people (Lohoar et al., 2014; Ryan, 2011; Yeo, 2003). Not only is identity and belonging essential for Aboriginal and Torres Strait Islander children, but their existence is also part of a vast kinship network that stretches across many caring systems where parental responsibilities are shared (Dudgeon et al., 2017).

Aboriginal parenting is grounded in a collectivist approach, with children nurtured in many ways, such as learning by observation, and listening and participating in cultural events and ceremony (SNAICC, 2011). Children are taught from an early age about their responsibilities, expectations and obligations within their own kinship group (Macdonald, 2016). Specifically, children are entrusted with responsibilities from a young age that are supported by observations, stories and experiential learning within the kinship group, with responsibilities given to the child based on emotional maturity via cultural learning instead of age-based western milestones (Byers et al., 2012). The social structure of many Aboriginal communities diverges from non-Indigenous, Eurocentric communities, typically with a stronger focus on collectivism and connection across kinship networks and the broader community (Lohoar et al., 2014).

Capturing the collectivist approach, Lohoar et al. (2014) gathered Aboriginal perspectives on cultural practices in community that contribute to positive parenting. One family referred to the idea of "one community, many eyes", describing the ways in which everyone in the community is like family, 'watching' children to keep them safe and preserve their wellbeing (Lohoar et al., 2014, p. 4). Aboriginal 'parenting' thus incorporates the knowledge that community brings a sense of safety, security and trust. For example, when Aboriginal and Torres Strait Islander families come together at community and/or cultural events, Lohoar et al. (2014) described Aboriginal parent's articulation of communal supports: "When you go to community these events there's Aunties and Uncles and extended community that watch your children. ... Wherever you go, and there's a group of you, your child's safe." (p. 5)

Aboriginal psychologist and scholars, Westerman and Atkinson (2016), noted that Aboriginal children thrive when they feel safe, secure and have solid healthy attachments to their family and community, these connections act as powerful protective factors for their wellbeing and development, these further support resilience and emotional wellbeing of a child. Furthermore, research has demonstrated that cultural connection is not only a fundamental human right of Aboriginal and Torres Strait Islander children (Krakouer et al., 2018; Krakouer et al., 2022), but it is also protective (Hunter et al., 2021; Salmon et al., 2018). For example, research has demonstrated that cultural connection improves wellbeing and resilience among Aboriginal and Torres Strait Islander children, with the *Longitudinal Study of Indigenous Children* (LSIC) finding that participation in cultural activities, and being with family, strengthens emotional and psychological outcomes for Aboriginal and Torres Strait Islander children (Salmon et al., 2019). This is further supported by Aboriginal professor, Ray Lovett's (2017) work, which highlights that "Resilience has strong cultural dimensions and it is possible that Indigenous populations hold distinct understandings of it that are based on communal perspectives and incorporate a strong emphasis on family and cultural connections." (p. 292)

POOR FIT: WESTERN FRAMEWORKS FOR CHILD REARING AND ABORIGINAL AND TORRES STRAIT ISLANDER FAMILIES

John Bowlby (1969) and Mary Ainsworth (1978) were central figures in the development of attachment theory, which today remains a foundational framework in understanding early human development. Drawing on the early works of Bowlby and Ainsworth, Bretherton (1992) showed how attachment theory was developed with a primary focus on attachment-related behaviours, and the observation of mothers and their babies who were primarily from Caucasian backgrounds. Although these studies laid the foundations for the concept of an internal working model and a key part of contemporary attachment theories, there is critique of attachment theory for its limited cultural scope and its lack of application to Aboriginal and Torres Strait Islander child rearing practices.

Specifically, Western psychological theories such as 'attachment theory' have been critiqued for their use within child protection assessments for Aboriginal families, namely for their misapplication and heightened focus on dyadic mother-child bonds (Commissioner for Aboriginal Children and

Young People, 2024; Wright et al., 2024; Yeo, 2003). Aboriginal psychological scholarship has demonstrated how attachment behaviours are misconstrued via interpretation through a western lens for Aboriginal and Torres Strait Islander people (Bailey & Clark, 2024). With attachment theory developed within a Western context and heavily tied to Eurocentric understandings of individualistic parent-child relationships, caregiver sensitivity and parental competency (Ainsworth, 1978; Yeo, 2003) The theory holds limited relevance or meaning when applied to Aboriginal and Torres Strait Islander families who rear their children collectively. Western frameworks for parenting and child-rearing are typically grounded in individualism, and structured routines for a nuclear family, thus making them poorly suited to Aboriginal and Torres Strait Islander familial contexts. As such, utilisation of attachment theory within child protection assessments risks misinterpretation, particularly when assessors hold limited cultural understanding of Aboriginal and Torres Strait Islander child rearing norms (Bailey & Clark, 2024; Commissioner for Aboriginal Children and Young People, 2024; Wright et al., 2024).

STRUCTURAL INEQUITY, BIAS AND RACISM IN CHILD PROTECTION ASSESSMENT TOOLS AND DECISION-MAKING

The term structural inequity refers to the ways in which systems such as child protection, often unintentionally perpetuate biases that disproportionately affect children and families from marginalised and ethnic groups (Family Matters, 2024). Research has found that child protection assessment tools fail to appreciate cultural differences when assessing parenting capacities for Aboriginal and Torres Strait Islander parents (Harnett & Featherstone, 2020). Structural inequity and racism have also been found in research to be perpetuated in Western assessment tools used in child protection. For example, Jenkins and Tilbury (2024) found that the actuarial family risk assessment instrument used in Queensland did not meet criterion for racial equity and produced high rates of false positives for Aboriginal and Torres Strait Islander children. In fact, in an earlier study concerning this actuarial risk assessment tool, it was found that "Indigenous status was a stronger predictor of subsequent reports and investigations than a rating of 'high risk' on the risk assessment tool" (Jenkins et al., 2018, p. 188). This tool has since been made redundant.

The Structured Decision-Making (SDM) tool has also been found to be racially biased. Research

was undertaken by Jenkins (2021) for the Department of Child Safety in Queensland, where the alarming result was found that the SDM tool was racially biased. This outcome triggered the abolition of the SDM tool's use in Queensland. Similarly, the Family is Culture review in New South Wales found concerns regarding SDM, including "deficiencies in the way the SDM tools were being executed, significantly impacting the quality of decision-making around Aboriginal children's entries into care" (Davis, 2019, p. 212). NSW has also determined it will de-implement SDM, in large part influenced by its lack of acceptability with Aboriginal community. Other scholars have raised concerns for some time that child protection assessment tools, particularly for Aboriginal people, are problematic. Krakouer et al. (2021) highlights that automated child protection decision-making tools "... bear substantial risks, especially for marginalised and vulnerable populations" (p. 175), with false positives raising further concerns as risk models are trained on data that can have multiples biases ingrained within it. There has also been critique of the *Signs of Safety* tool's implementation with Aboriginal and Torres Strait Islander people, including poor application of the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP), and a lack of involvement of Aboriginal and Torres Strait Islander people and families throughout the assessment process (Commissioner for Children and Young People, 2018).

There is limited research around the investigation and assessment process in child protection, specifically as they relate to Aboriginal families, with a further absence of community informed perspectives. While overrepresentation of Aboriginal and Torres Strait Islander children in child protection systems is well documented (Australian Institute of Health and Welfare (AIHW), 2025; Tilbury, 2009), there is not enough focus on how risk is assessed and understood in a cultural context. Existing assessment tools often fail to account for Aboriginal parenting practices, kinship systems and colonisation (Jenkins, 2021). Furthermore, the high numbers of recurring notifications highlight the lack of early intervention and culturally-safe support structures put in place to prevent removals for Aboriginal and Torres Strait Islander families (Segal et al., 2019).

There have also been several state-based inquiries, reviews and commissions that have found issues of concern regarding child protection decision-making for Aboriginal and Torres Strait Islander people in several jurisdictions, including South Australia (Commissioner for Aboriginal Children and Young People, 2024), Victoria

(Yoorrook Justice Commission, 2023), New South Wales (Davis, 2019), Western Australia (Commissioner for Children and Young People, 2018) and Tasmania (Hinton, 2018). Key issues highlighted in these state-based inquiries, reviews and commissions include that:

- Aboriginal and Torres Strait Islander children are disproportionately investigated and removed. There is significant overrepresentation at every stage of the child protection process for Aboriginal and Torres Strait Islander children (Family Matters, 2024).
- The risk assessment tools used in several child protection jurisdictions have been found to be culturally unsafe, inadequate, misapplied and/or requiring improvement with implementation (Commissioner for Aboriginal Children and Young People, 2024; Commissioner for Children and Young People, 2018; Davis, 2019; Yoorrook Justice Commission, 2023). Sometimes assessments occur after removals and are often used to justify decisions already made (Davis, 2019).
- Cultural practices have been misclassified during child protection assessment, investigations and casework practice (Commissioner for Aboriginal Children and Young People, 2024; Davis, 2019; Yoorrook Justice Commission, 2023).
- Child protection processes are task orientated and time-limited (e.g., 28 days for an investigation). This can result in a lack of meaningful engagement with Aboriginal and Torres Strait Islander families and an absence of Aboriginal and Torres Strait Islander child, family and community voices in child protection processes (Commissioner for Aboriginal Children and Young People, 2024; Davis, 2019; Hinton, 2018; Wanganeen, 2022).
- Intergenerational trauma is typically not recognised in child protection risk assessments. This can result in historical child protection information being used to justify child protection involvement, child removals and further surveillance (Douglas & Walsh, 2013).

ISSUES IN CHILD PROTECTION RISK ASSESSMENT AND DECISION MAKING FOR ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

Themes are consistent across child protection systems relating to Aboriginal and Torres Strait

Islander people. These themes highlight systemic patterns that intersect with policy, practice and lived experiences of child protection. Key concerns in relation to child protection practitioners and social workers involved in decision-making, assessment and investigation include the following:

- Deep rooted colonial attitudes and structural racism can shape decision making, with Aboriginal families subjected to surveillance through a Eurocentric middle-class lens (Davis, 2019; Yoorrook Justice Commission, 2023).
- Misinterpretation of parental neglect, including pathologising collective child rearing cultural norms and poverty as synonymous with neglect (Commissioner for Aboriginal Children and Young People, 2024; Davis, 2019; Wanganeen, 2022; Yoorrook Justice Commission, 2023).
- Exclusion of Aboriginal voices throughout child protection decision-making, thus undermining the Aboriginal and Torres Strait Islander Child Placement Principle (Commissioner for Aboriginal Children and Young People, 2024; Davis, 2019; Family Matters, 2024).
- Misuse of, and bias within, risk assessments and professional judgement, which may be used to justify removal decisions (Davis, 2019; Yoorrook Justice Commission, 2023).
- Lack of oversight of casework, including a lack of accountability relating to child protection decision making processes (Davis, 2019). Aboriginal and Torres Strait Islander families may feel defeated, with appeals processes potentially leading to unchanged outcomes (Commissioner for Children and Young People, 2018; Hinton, 2018; Newton et al., 2025).
- Current child protection practices are mirroring past policies of forced removals while overrepresentation of Aboriginal and Torres Strait Islander children and young people in child protection and out-of-home care systems is continuing to rise (Yoorrook Justice Commission, 2023). This is perpetuating intergenerational trauma.

KEY CONSIDERATIONS FOR CHILD PROTECTION INTAKE AND ASSESSMENT

Based on the evidence reviewed, the following should be considered at the point of a notification

and prior to a child protection investigation occurring:

- Aboriginal assessment teams and decision making about risks, needs and appropriate supports for Aboriginal children and families.
- A strength-based, cultural lens to assessment is required to recognise protective factors and avoid pathologising Aboriginal ways of living and child rearing that can involve shared care giving or sleeping arrangements (Davis, 2019). These are not unsafe practices, but rather, reflect cultural norms concerning collective child rearing. It's problematic when, Eurocentric understandings are drawn on to define Aboriginal parenting and social work practices are not framed with Aboriginal knowledge (Choate, 2019). Existing assessment approaches should be reviewed to ensure they are culturally appropriate.
- Mandatory reporting can result in victimising some parents (Ainsworth & Hansen, 2006). Historical child protection involvement is one factor used to alert child protection for mandatory reporters (Douglas & Walsh, 2013; Hinton, 2018). This includes a parent being in out-of-home care themselves as a child (Hinton, 2018). Historical information unfairly influences assessments for Aboriginal and Torres Strait Islander parents. The focus needs to be on the present concerns.
- The Aboriginal and Torres Strait Islander Child Placement Principle needs to be taken seriously and implemented accordingly during intake and assessment processes, including during assessment involving the *Signs of Safety* tool. Where these processes involve Aboriginal and Torres Strait Islander families, appropriate oversight is needed at every stage to ensure information is recorded and key family members are being consulted (Commissioner for Aboriginal Children and Young People, 2024).

POTENTIAL SOLUTIONS

Aboriginal and Torres Strait Islander people are advocating for a complete shift in power, practice and perspective in child protection decision-making throughout Australia (Butler, 2025). For example, in Victoria, child protection decision making is being undertaken by some Aboriginal Community-Controlled Organisations (ACCOs) under section 18 of the *Children, Youth and Families Act 2005* (Vic, Austl.), while delegated authority is also underway in Queensland (QATSICPP, 2021). In protecting the rights,

identities and futures of Aboriginal and Torres Strait Islander children and families, we need to consider how best to transition from punitive systems to healing programs and models, and from systemic bias to cultural justice in child protection decision-making.

Solutions advocated for by Aboriginal people include:

- Abolishing or radically transforming risk-based assessment tools that rely on biased data and deficit-based frameworks. These should be replaced with holistic, strength-based and culturally grounded approaches to assessment.
- Community-led alternatives be implemented, including the use of cultural safety assessments, community-defined protective factors, and kinship-based risk evaluations. Aboriginal and Torres Strait Islander developed tools that reflect lived realities, cultural norms, intergenerational and historical trauma be privileged.
- Investment in prevention, rather than surveillance, is required. This may include community-based wraparound supports, such as culturally safe parenting programs, early intervention, birthing support (e.g., Birthing on Country), housing, food security and healing services.
- Keeping children connected to culture, Country and kin is paramount. No child should be removed without exhausting all efforts to place them with family or in a culturally appropriate setting, in line with the placement element of the Aboriginal and Torres Strait Islander Child Placement Principle. Mandatory cultural connection planning with family is also critical to foster cultural connection for Aboriginal and Torres Strait Islander children and young people, in line with the connection element of the Aboriginal and Torres Strait Islander Child Placement Principle.
- The full application, and appropriate implementation, of the Aboriginal and Torres Strait Islander Child Placement Principle is needed, particularly with regard to prevention, partnerships, and participation of Aboriginal and Torres Strait Islander people in child protection decision-making, assessment and investigation.

IMPLICATIONS FOR DEFINING SCOPE OF STATUTORY CHILD SAFETY SERVICES

Factors that should be considered under the wellbeing scope may include:

- Financial hardship, food insecurity, housing instability, limited access to transport or health care, 'inadequate' housing and overcrowding. These factors should be considered under the wellbeing scope.
- School absenteeism should first be approached through the wellbeing scope.
- Concerns relating to neglect that may be related to the number of children in the household, children living with disability, and parental mental health concerns that are mild, moderate or managed and treated should be considered under the wellbeing scope.
- Mental health concerns, where safety is not a concern.
- Previous involvement with child protection that is not connected to 'current risk'.
- Low level family distress and/or conflict. We recognise that family and domestic violence can pose danger to children, however we suggest that women and children are provided with appropriate supports rather than resorting to child removal wherever possible, appropriate and practicable.
- Reports received during pregnancy should be first approached under the wellbeing scope, with consideration given to both the health and the wellbeing of the birthing parent and baby. Reports received in relation to missed antenatal appointments fall within the wellbeing scope. Missed antenatal care appointments should not be considered under the child safety scope unless there are additional factors that may present a risk to the safety of the baby once born.
- Situations where there is no imminent or serious risk of harm to the child, but the family requires support should be considered under the wellbeing scope.

Factors that should be considered under the child safety scope include:

- Physical assault or harm of a child, particularly of a serious nature that results in injury to the child.
- Sexual abuse of a child. This requires automatic consideration under the child safety scope.
- Serious family and domestic violence, where children are present during episodes of physical violence, should be considered under the child safety scope.

- Situations where there is an immediate risk of significant harm to a child should be considered under the child safety scope.

We suggest that new, clear decision-making tools are developed to guide intake staff in working out what falls under the well-being scope and what falls under the child safety scope. This may require ending the use of old tools that are not fit for purpose.

CHILD PROTECTION INTAKE AND ASSESSMENT IN LUTRUWITA (TASMANIA)

The Palawa people of Lutruwita share many of the experiences of colonisation as Aboriginal and Torres Strait Islander peoples across Australia. However, there are unique features of colonisation and its impacts in Lutruwita and any way forward must be culturally governed and locally relevant.

In June 2023, Tasmanian Aboriginal Centre received a grant through the Closing the Gap Capacity Building Grant Program to develop a strategy and action plan for the transfer of responsibility for Aboriginal child safety to the Aboriginal community – this became the Nukura Strategy and Action Plan released in 2025. The

Nukura strategy envisions that all Aboriginal children living in Lutruwita are safe and well in the care of their families, proudly connected with and strongly supported by their community, culture and country. The Strategy outlines the centrality of Aboriginal led, Aboriginal governed and Aboriginal Community Controlled responses – properly resourced – in delivering this outcome. Specifically, the Nukura action plan includes establishing child safe practice (Action area 3) and Transfer of authority (Action area 4), which are of direct relevance in considering the way forward to create culturally safe pathways into helping and healing supports to better enable Aboriginal children to be safe and thrive.

This evidence brief provides a synthesis and discussion of the implications for the national evidence on assessment in child protection and its impacts on Aboriginal and Torres Strait Islander peoples.

Palawa people should be provided the means to consider what might be learned from the national evidence on child protection assessment and Aboriginal and Torres Strait Islander peoples presented in this evidence brief and determine what solutions are best suited for Palawa people.

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APPENDIX A. LITERATURE SEARCH

Search Terms (searched from 2010 – present):

"Aboriginal" OR "First Nations" OR "Aboriginal Australian*" OR "Aboriginal and Torres Strait Islander" OR "Indigenous" OR "First Nations Australia" OR "Traditional knowledge" OR "Connection to Country" OR "Cultural identity" OR "Aboriginal perspectives" OR "Intergenerational trauma AND Aboriginal" OR "Cultural safety AND Aboriginal" OR "Aboriginal sovereignty" OR "Decolonisation AND Aboriginal" OR "Aboriginal-led programs" OR "Aboriginal policy Australia"

AND

"Assessment tools" OR "Assessment" OR "Assessment instruments" OR "Evaluation tools" OR "screening"

AND

"Child Protection" OR "Child Safety" OR "Child welfare" OR "Safeguarding children"

A Scopus search for assessment tools for Aboriginal and Torres Strait Islander people identified the following articles:

- Blacklock, A. S., Meiksans, J., Bonser, G., Hayden, P., Menzies, K., & Arney, F. (2018). Acceptability of the Winangay kinship Carer assessment tool. *Child Abuse Review*, 27(2), 108-121.
- Harnett, P. H., & Featherstone, G. (2020). The role of decision making in the over-representation of Aboriginal and Torres Strait Islander children in the Australian child protection system. *Children and youth services review*, 113, 105019.
- Jenkins, B. Q., & Tilbury, C. (2024). An evaluation of the racial equity of the actuarial Family risk assessment instrument used in Queensland, Australia. *Children and Youth Services Review*, 164, 107891.
- Olszowy, L., Jaffe, P., Dawson, M., Straatman, A. L., & Saxton, M. (2021). Ontario child protection workers' views on assessing risk and planning for safety in exposure to domestic violence cases. *Child & Family Social Work*, 26(1), 173-182.

A Google scholar search also identified:

- Krakouer, J., Wu Tan, W., & Parolini, A. (2021). Who is analysing what? The opportunities, risks and implications of using predictive risk modelling with Indigenous Australians in child protection: A scoping review. *Australian Journal of Social Issues*, 56(2), 173-197.

Other key sources identified through hand-searching also included:

- Bailey, N., & Clark, Y. (2024). Exploring bonding and attachment in Aboriginal families. *Australian Journal of Psychology*, 76(1), 2356117. <https://doi.org/10.1080/00049530.2024.2356117>
- Hermeston, W. (2021). *Safe, Protected ... Connected? The Best Interests of Aboriginal Children and Permanency Planning in the NSW Care and Protection System*. University Technology Sydney [Doctoral thesis]. <http://hdl.handle.net/10453/161122>
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APPENDIX B. CURRENT DATA

Current data sourced from the Australian Institute of Health and Welfare (AIHW, 2025) outlines the overrepresentation, rise in removals and the ongoing effects of biased assessment frameworks. These figures highlight the impacts of colonial policies and structural inequalities that continue to influence child protection outcomes for Aboriginal and Torres Strait Islander children and families.

National Data: Investigations and Substantiations (2023–24)

Source: AIHW (2025)

- 42,100 children were subjects of substantiated investigations.
 - 13,000 were Aboriginal and Torres Strait Islander children (33 per 1,000).
 - 27,500 were non-Indigenous children (5.1 per 1,000).
- Aboriginal and Torres Strait Islander children are more than 6 times more likely to be the subject of a substantiated child protection investigation.
- Primary substantiated concerns for Aboriginal and Torres Strait Islander children were:
 - Emotional abuse: 50.2%
 - Neglect: 29.9%

Tasmania Snapshot: Investigations and Outcomes (2023–24)

Source: AIHW (2025)

- 146 Aboriginal and Torres Strait Islander children were investigated, compared to 210 non-Indigenous children.
- Of those Aboriginal and Torres Strait Islander investigations, the primary concern was:
 - Neglect: 60 cases
 - Emotional abuse: 41 cases
 - Physical abuse: 31 cases
- 77 Aboriginal and/or Torres Strait Islander children were placed in Out-of-Home Care (OOHC).
- In 2022–23, 27.4% of Aboriginal and/or Torres Strait Islander children in Tasmania were placed on 12-month care orders, compared to 22.4% of non-Indigenous children



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