



Joint statement urging governments to protect and fully implement the Aboriginal and Torres Strait Islander Child Placement Principle

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Issued by:

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1. Purpose

Aboriginal and Torres Strait Islander children have the right to grow up safe, loved and connected to their families, communities and culture. The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) is a critical safeguard designed to protect that right and must not be weakened.

This statement calls on the Commission of Inquiry to recommend that the Queensland government fully implement the Principle and address the systemic failures that are placing children and families at risk, rather than altering the framework designed to prevent harm.

2. The problem

We should not mistake poor implementation for policy failure. When a framework is inconsistently applied, under-resourced or weakened in practice, the solution is to fix how it is delivered, not to dismantle the policy itself. Blaming good policy for inadequate implementation risks avoiding accountability and repeating the same systemic mistakes rather than addressing the real problem.

Removing or weakening the ATSICPP would also signal a loss of confidence in self-determination as a proven pathway to better outcomes for Aboriginal and Torres Strait Islander children. It would shift the focus away from strengthening community leadership and shared decision-making, and toward centralised control, despite evidence that culturally grounded approaches improve safety, stability and long-term wellbeing.

3. The principle

The ATSICPP exists because past removal policies caused and continue to cause profound and intergenerational harm. It asserts the same rights and protections that exist at law for all children and young people but that had been routinely overlooked in child protection practice regarding First Nations families. As a legislative principle, it operates as a proactive protection to uphold the paramount principle for First Nations children. It is not prohibitive. Full and faithful application of the ATSICPP preserves the primacy of the paramount principle without compromising the rights of First Nations children. It embeds self-determination into child protection by requiring governments to work in genuine partnership with Aboriginal and Torres Strait Islander families and communities, and to recognise their authority in decisions about their children. As an essential safeguard grounded in the right of Aboriginal and Torres Strait Islander peoples to care for and raise their own children, it provides a framework for child protection that prioritises children's safety while preserving identity, belonging and long-term wellbeing.

The principle is built on **five connected elements** that operate together:

- **Prevention:** supporting families early to prevent unnecessary removal, redressing the drivers of risk

- **Partnership:** genuine collaboration with Aboriginal and Torres Strait Islander communities and organisations
- **Placement:** prioritising care with family, kin or community where removal is necessary
- **Participation:** ensuring children, families and communities have a voice in decisions that impact upon them
- **Connection:** maintaining ongoing connection to culture, identity, family and Country

Together, these elements form a comprehensive framework designed to keep children safe without severing their cultural foundations.

Implementing all five elements is a basic test of whether a child protection system is functioning effectively and responsibly in the best interests of Aboriginal and Torres Strait Islander children.

4. National consistency is essential

Children's rights and safety must not vary by jurisdiction. Inconsistent application of the principle creates unequal protection, systemic risk and gaps that children can fall through.

Nationally consistent implementation is essential to ensure every Aboriginal and Torres Strait Islander child, regardless of where they live, can grow up safe, connected to culture and supported by an effective system.

Cultural safety is inseparable from child safety. Connection to culture, identity and community is a key protective factor that supports resilience and wellbeing.

5. Protection and cultural connection are not opposed

The principle does not prevent authorities from acting to protect children from harm. Where removal is necessary, it prioritises placement with family, kin or community wherever possible.

For Aboriginal and Torres Strait Islander children, cultural connection is inseparable from safety. Connection to family, community, culture and Country is a foundational protective factor that supports identity, stability, resilience and long-term wellbeing.

What the principle rejects, is the assumption that separation from culture and community is neutral or without consequence.

Periods of heightened public concern about child safety must not lead to the dismantling of critical safeguards.

6. Alignment with national commitments and systemic risk

Consistent implementation of the ATSICPP is essential to meeting Australia's commitments under the National Agreement on Closing the Gap, the National Principles for Child Safe Organisations and broader national child safety frameworks.

Inconsistent application creates unequal protection, systemic risk and avoidable harm. It results in different standards of decision-making for Aboriginal and Torres Strait Islander children depending on where they live, increasing the likelihood of unnecessary removals, placement instability and long-term disconnection from family and culture.

Failure to fully implement the principle undermines national commitments, weakens accountability and limits governments' ability to assess whether child protection systems are improving safety or contributing to harm.

Strengthening, not weakening, the principle is critical to delivering equitable, culturally safe and evidence-based protection for Aboriginal and Torres Strait Islander children across Australia.

7. Call to Action

Leaders call on governments to:

- Recognise the ATSICCP as foundational to effective child protection
- Fully implement all five elements: prevention, partnership, placement, participation and connection
- Invest in early support for families and communities
- Strengthen and properly fund Aboriginal and Torres Strait Islander community-controlled services
- Embed genuine shared decision-making with Aboriginal and Torres Strait Islander peoples

8. Conclusion

Fixing the system requires the protection and full implementation of the ATSICPP Governments must deliver on existing commitments and ensure child protection responses keep children safe while preserving identity, belonging and cultural connection.

The ATSICPP maintains the primacy of a child's safety and best interests without compromising their identity. Safety and continuity of cultural connection are not mutually exclusive; they are mutually reinforcing. Application of the ATSICCP ensures they never have to choose.

Signatories

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