

# Aboriginal Peak Organisations Northern Territory

An alliance of the CLC, NLC, CAALAS, NAAJA and AMSANT

## NT Royal Commission Response Background Paper

### 3.1 A single Act for child wellbeing in the Northern Territory

Under the proposed wholesale reforms, the current *Youth Justice Act* and the *Care and Protection of Children Act* would be replaced by a single piece of legislation aimed at ensuring positive, long-term outcomes for children and young people in the Northern Territory.

Introducing a single Act aims to give effect to the whole-of-system paradigm shift needed to embed a trauma-informed, therapeutic approach that prioritises the needs of children, young people and their families, addresses the overrepresentation of Aboriginal people in these systems. The legislation would also hold families accountable for caring for their children and young people accountable for offending but within a framework of supports that enable such accountability to be fulfilled.

Successful overarching legislation will:

- provide a single clear point of accountability and strong systems leadership
- create an organisational culture that prioritises children and outcomes, rather than agencies and processes.

#### What would a new Act look like?

A single piece of legislation for the wellbeing of all children in the Northern Territory would include the following key features:

- Common objectives, principles and duties
- Requirement for comprehensive holistic needs assessment at all stages
- Early intervention and prevention provisions
- Mechanisms for embedding the voices of children, young people and families and giving effect to their views and wishes
- Mechanisms for the recognition of Aboriginal cultural authority, values and beliefs and Aboriginal peoples' right to regional autonomy.

#### What are the objectives of a new Act?

- Reduce the over-representation of Aboriginal children, young people and their families in the youth justice and care and protection systems
- Promote the wellbeing of children, young persons, and their families and family/kinship groups by:

- establishing, promoting and facilitating access to services and facilities with the community that will advance the well-being of children, young persons, and their families and kinship structures having regard to the needs, values and beliefs of particular cultural and ethnic groups; and
  - accessible to and understood by children and young people and their families and communities; and
  - provided by people and organisations sensitive to the cultural perspectives and aspirations of different cultural groups in the community;
- supporting families, communities and their children at the earliest opportunity to sustain a safe, stable, loving home environment
- ensuring young people have access to customised and flexible packages of services that support their lifelong health, education, cultural, economic and social outcomes
- ensuring that where children or young people commit offences
  - they are held accountable and encouraged to accept responsibility for their behaviour
  - they are dealt with in a way that acknowledges their needs and that will give them the opportunity to develop in responsible, beneficial and socially acceptable ways;
- ensure partnerships with Aboriginal Community Controlled Organisations
- promote and set goals for regional autonomy and decision-making and locally-based service delivery in communities.

