

Aboriginal Peak Organisations Northern Territory

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

NT Royal Commission Response Background Paper

3.2 The principles of child protection

APO NT believes the following principles for promoting the wellbeing of children, young persons, and their families and family/ kinship groups should be embedded in the new system:

- Any person making a decision must adopt the first and paramount consideration of the welfare and interests of the relevant child or young person
- 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.
- The primary role in caring for and protecting a child or young person lies with the child's or young person's family, community or kinship group.
 - They must be supported, assisted and protected as much as possible
 - Intervention in family life should be the minimum necessary to ensure a child's or young person's safety and protection
- It is desirable that a child or young person live in association with his or her family, community or kinship group and that his or her education, training, or employment be allowed to continue without interruption or disturbance
- When a child or young person is considered to be in need of care and protection – the necessary assistance and support should be provided to enable the child or young person to be cared for and protected within his or her family, community or kinship group
 - a child or young person should only be removed from their family if there is a serious risk of harm
 - If a child is removed, the child should be returned as soon as possible and protected from harm
 - thorough and well-supported reunification plans should be implemented at the time of placement into care and done alongside the care and cultural plan for the child
 - Where alternative care is needed, priority should be given to a carer who is a member of the child or young person's kin, or, if that is not possible, who has the same tribal, racial, ethnic, or cultural background as the child or young person and lives in the same locality as the child or young person. Consideration should also be given to the appropriateness of placing Aboriginal children from different clans/communities together.