## NUKARA

# FIBRE 7 ACCOUNTABILITY AND OVERSIGHT

## FIBRE 7

Accountability and oversight: commitment to establishing and strengthening advocacy and oversight through the Commissioner for Aboriginal Children and Young People and partnership agreements.

**Nukara** is the Tasmanian Aboriginal Centre's community-led strategy and action plan for implementing the Tirrina model and transferring responsibility for Aboriginal child safety to the Aboriginal community.

**Our vision** is for all Aboriginal children living in Lutruwita to be safe and well in the care of their families, proudly connected with and strongly supported by their community, culture and country. **Tirrina** is the Tasmanian Aboriginal community's model for achieving this vision.

The eight fibres of **Tirrina** provide a strong foundation for the structure of every part of the model, interwoven with the principles of self-determination and truth-telling. While adapted for local application, the fibres are consistent with the eight focus areas of the <u>Safe and Supported Aboriginal and Torres</u> <u>Strait Islander First Action Plan 2023-2026</u> (Our Safe and Supported Action Plan).

The Tasmanian Aboriginal Centre acknowledges Aboriginal community members who contributed to this report and have since passed away. We thank the families for giving permission to include their photos.

NUKARA

## CONTENTS

| Executive summary  | 2 |
|--|---|
| Current situation  | 3 |
| Consultation findings and analysis                                 | 4 |
| Voices of the weavers  | 4 |
| Voices of other stakeholders                                       | 4 |
| Jurisdictional scan and analysis                                   | 5 |
| Victoria   | 5 |
| Queensland   | 5 |
| International  | 6 |
| Alignment with national and state commitments and enablers         |   |
| The way forward  |   |
| Nukara and Tirrina: accountability and oversight                   |   |
| Nukara and Tirrina: monitoring and evaluation                      | 8 |
| Role of Commissioner for Aboriginal Children and Young People      | 9 |
| Next steps   | 9 |
| Appendix A: Submission on draft legislation                        |   |
| Appendix B: Commissioner for Aboriginal Children (or similar role) |   |

# EXECUTIVE SUMMARY

Accountability and oversight: commitment to establishing and strengthening advocacy and oversight through the Commissioner for Aboriginal Children and Young People and partnership agreements.

Accountability and oversight are critical to keeping Aboriginal children safe and well in the care of their families by amplifying their voices, supporting their rights, advocating for system change, and holding institutions and service providers to account.



All Aboriginal children have the right to grow up safe, connected and supported to reach their full potential. Aboriginal children also have the right to have a say and be listened to when decisions are made that affect their lives, and to participate in and freely express their culture and language. These and other rights are embedded in the <u>United Nations Convention on</u> the Rights of the Child and United Nations Declaration on the Rights of Indigenous Peoples.

The *Tirrina* model must be supported by robust structures and processes to ensure accountability and oversight of institutions and individuals, and decisions and actions to keep Aboriginal children safe.

Activities to support Fibre 7 were developed by the Tasmanian Aboriginal Centre (TAC), in partnership with the Aboriginal community, informed by and consistent with national and state government commitments and initiatives for change.

The Tasmanian Government has committed to taking actions under the national *Safe and Supported Partnership Agreement*, including Action 7 of our *Safe and Supported Action Plan*, to establish and strengthen Aboriginal commissioners and similar roles.

This document summarises the findings of consultation and research undertaken in developing *Nukara* and proposes actions and outcomes relevant to accountability and oversight, including:

- active Aboriginal community involvement in drafting legislative provisions for establishing, selecting and appointing to the position of Commissioner for Aboriginal Children and Young People
- defining the oversight role of and relationship between the Commissioner and the Aboriginal community, as represented by the TAC
- establishing internal structures for the oversight and management of *Tirrina* programs
- establishing mechanisms for ongoing monitoring and evaluation of the *Tirrina* programs
- establishing a formal partnership agreement between the TAC and the Tasmanian Government
- establishing mechanisms for incorporating the voices and wishes of the Aboriginal community.

# CURRENT SITUATION

TAC, the Government and non-government organisations (NGOs) must be accountable to the Aboriginal community, ensuring that their actions, decisions, and policies prioritise the needs, rights, and aspirations of Aboriginal people. It is essential that this accountability remains clear and unwavering, as it often becomes overlooked in broader discussions.

In this context, Lutruwita stands as the only jurisdiction in Australia without an Aboriginal Commissioner or a similar role dedicated to advocating for and safeguarding the rights and wellbeing of Aboriginal children.

Accountability and oversight are critical to achieving positive, long-term outcomes for the safety and wellbeing of Aboriginal children. As responsibilities for keeping Aboriginal children safe are progressively transferred to the TAC, there are significant opportunities to enhance and expand existing governance structures and processes. These include:

- transparent, culturally appropriate mechanisms to help prevent harm, ensure high-quality care and build trust
- ongoing monitoring and evaluation to ensure that services remain effective, responsive and aligned with the needs of Aboriginal children and families
- greater accountability to enhance collaboration between government and the Aboriginal community, reinforcing self-determination while maintaining a commitment to child safety.

## CONSULTATION FINDINGS AND ANALYSIS

### Voices of the weavers

### Community voices

Accountability was discussed a great deal at community consultation forums. This was, however, not in the context of oversight bodies. Instead, conversations revolved around the importance of TAC representing and being accountable to the community as it takes on greater responsibility for the safety of Aboriginal children and their families.

The community proposed establishing a variety of different approaches to support decision-making, as well as processes to ensure the active participation of children and their families.

Community members also discussed the importance of protecting privacy and confidentiality, appropriate training and professional support for anyone involved, and the need to keep the Tasmanian Aboriginal Centre (and any other relevant Aboriginal Community Controlled Organisation) accountable and answerable to the community.

Community emphasised the need for accountability in ensuring that everyone involved in delivering the *Tirrina* service programs should demonstrate strong knowledge and understandings of the importance of connections to community, culture and country as essential to the wellbeing of any Aboriginal child.

### TAC staff voices

TAC staff discussions focused on the need for greater accountability and oversight to keep children safe and to take all possible steps to ensure that Aboriginal children are cared for by their family and/or community.

Establishment of the position of the Tasmanian Commissioner for Aboriginal Children and Young People was also endorsed by the workforce. Some staff expressed concerns that the role could be merely advisory or symbolic, lacking the power to drive tangible change. It was important to staff that the position incumbent would be provided with robust statutory powers to genuinely influence positive change and hold government accountable, as well as exercising powers to advocate for, and undertake investigations on behalf of, children in out-of-home care and the youth justice system.

### Voices of other stakeholders

Non-Aboriginal stakeholders expressed strong support to establish an independent, effective and empowered Commissioner for Aboriginal Children and Young People who amplified the voices and wishes of community. They expressed hope that this position would ensure community knowledge, self-determination and cultural safety are factored into decision-making.

## JURISDICTIONAL SCAN AND ANALYSIS

Jurisdictional research and analysis highlight the need for accountability and oversight mechanisms and roles to be independent from government and/or non-Aboriginal control. Structures and individuals also need to be supported by appropriate statutory powers and adequate resources to allow them to fully engage and perform their functions at the highest possible level.

## Victoria

### Partnership agreement

Victoria's <u>Wungurilwil Gapgapduir Aboriginal Children and Families Agreement</u> was published in 2018, representing a landmark partnership between the Aboriginal community, government and the community services organisations. The agreement commits all parties to pursuing better outcomes for Aboriginal children. The document includes an action plan, detailing activities to address the overrepresentation of Aboriginal children in Victoria's child safety and out-of-home care systems.

### Yoorrook Justice Commission

The Yoorrook Justice Commission has called for amendment of Victoria's *Commission for Children and Young People Act 2012* to include provisions to formally establish the role of Commissioner for Aboriginal Children and Young People, giving the incumbent of that role powers equalling those of the Principal Commissioner, including powers for handling complaints and intervening in legal cases involving Aboriginal children.

Yoorrook is also calling for the Commissioner for Aboriginal Children and Young People to play a central role in processes for identifying Aboriginal children in out-of-home-care, including conducting regular audits and publishing results to hold child safety practitioners to account.

### Queensland

<u>Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families 2017-</u> <u>2037</u> outlines the Queensland Government's commitment to changing the way government works with Aboriginal children, families and communities and to designing, developing and delivering actions to make real and meaningful change within a generation.

The Queensland strategy, which was co-developed with Aboriginal Elders and other members of the community, is being implemented through a series of flexible action plans, backed by a formal *Queensland First Children and Families Partnership Agreement*. Parties to the agreement include Queensland Aboriginal and Torres Strait Islander Child Protection Peak, the Queensland Government and relevant non-government organisations. The agreement specifies the obligations and responsibilities of community and government in delivering the actions and outcomes described in the strategy and action plans.

## International

In 2023, Candice Butler published her Churchill Fellowship report on <u>Reclaiming Child Protection</u> <u>Decision Making</u>. Looking at practices in New Zealand, Canada and USA, Butler considered and reported on the accountability mechanisms used by other First Nations communities:

Ultimately, the reclaiming of child protection decision making does need to have accountability mechanism[s] in place to ensure that we are all working towards reducing the amount of First Nations children in Australia who are in out of home care, ensuring they are connected to kin, community and culture and are afforded the same opportunities as non-First Nations children and young people.

Both Canada and the USA have taken steps to develop tribal laws created through tribal processes and governance structures. Butler observed that, as the tribal laws are designed to enable culturallyinformed and child-led decisions, they could also draw upon these as accountability mechanisms when working alongside their respective state governments.

Other relevant aspects of Butler's work include the need for accountability in:

- service delivery, policy development, research and evaluation, and practice support and development
- ensuring equality of funding and resourcing for ACCOs
- ensuring Active Efforts are upheld.

## Alignment with national and state commitments and enablers

The Tasmanian Government has formally committed to a range of national and state agreements and initiatives to strengthen Aboriginal-led oversight and accountability for keeping Aboriginal children safe. The most relevant of these are summarised in the table below.

| INITIATIVE  | COMMITMENT  |
|---|---|
| Safe and Supported<br>Aboriginal and Torres<br>Strait Islander First<br>Action Plan 2023-2026 | <ul><li>Action 7(a):</li><li>Minimum requirements for Aboriginal Commissioner</li></ul>   |
|   | <ul> <li>Action 7(b):</li> <li>Advocacy and accountability roles in all jurisdictions that reflect the agreed minimum requirements</li> </ul>   |
|   | <ul><li>Action 7(c):</li><li>National Commissioner established and appointed</li></ul>  |
| Commission of Inquiry<br>report findings and<br>recommendations                               | <ul> <li>Recommendation 9.7:</li> <li>Appoint Executive Director for Aboriginal Children and Young People,<br/>Department for Education, Children and Young People (DECYP))</li> </ul>    |
|   | <ul> <li>Recommendation 9.14 (a-j), 12.39 and 18.8:</li> <li>Establish role and functions of the Commissioner for Aboriginal<br/>Children and Young People in Lutruwita</li> </ul>        |
|   | <ul> <li>Recommendation 9.15:</li> <li>Fully implement all elements of the Aboriginal and Torres Strait Islander<br/>Placement Principle</li> </ul>                                       |
| Closing the Gap<br>National Agreement   | <ul><li>Priority Reform One:</li><li>Shared decision-making</li></ul>   |
| reforms and targets   | <ul> <li>Priority Reform Three:</li> <li>Ensuring government agencies and institutions that deliver services to<br/>Aboriginal people undertake systemic and structural reform</li> </ul> |
| Family Matters<br>Report 2024   | <ul> <li>Recommendation 14:</li> <li>Establish Commissioners for Aboriginal Children in every state and territory</li> </ul>  |
|   | <ul> <li>Recommendation 12:</li> <li>Initiatives for government agencies to improve practices, knowledge, responsiveness and accountability to Aboriginal people</li> </ul>               |

# THE WAY FORWARD

## Nukara and Tirrina: accountability and oversight

Formal partnership agreements between TAC, government and relevant non-government organisations are critical for successful implementation of the *Nukara* strategy and action plan. Detailed written agreement/s between TAC and the Tasmanian Government are necessary to formalise the proposed accountability and oversight arrangements, including government commitments to ongoing funding and other resources necessary to implement and maintain the *Tirrina* model well into the foreseeable future.

An Aboriginal-led steering committee will be established to enable timely implementation and provide sound strategic direction. The steering committee will be expected to be accountable to the Aboriginal community in overseeing the successful implementation of *Nukara* and *Tirrina*. The steering committee will also champion and be accountable to the Aboriginal community for overcoming barriers and leading the process of transformative change. This top-down approach will seek to influence ways of thinking, speaking and behaving, encouraging individuals and institutions to think critically about and be accountable for addressing the beliefs, attitudes, policies, practices and ways of working that may get in the way of change.

## Nukara and Tirrina: monitoring and evaluation

The *Nukara* Action Plan will be enhanced with internal monitoring and independent evaluation once funding for the strategy and *Tirrina* model is secured. This will ensure successful implementation and that Tirrina services meet the evolving needs of the Aboriginal community.

## Role of Commissioner for Aboriginal Children and Young People

The Tasmanian Government has committed to appointing a Commissioner for Aboriginal Children and Young People by July 2026. The powers and functions of the Commissioner are to be embedded in and enabled by legislation. The legislation has been drafted and the consultation period for formal submissions of feedback on the *Commission for Children and Young People Bill 2024* closed on 15 December 2024.

TAC's submission on the draft legislation is attached at <u>Appendix A.</u> <u>SNAICC</u>, NGOs and Commissioners for Aboriginal Children in other states and territories continue to support TAC's efforts to ensure that the Commissioner for Aboriginal Children and Young People will be provided with adequate statutory powers and functions to ensure:

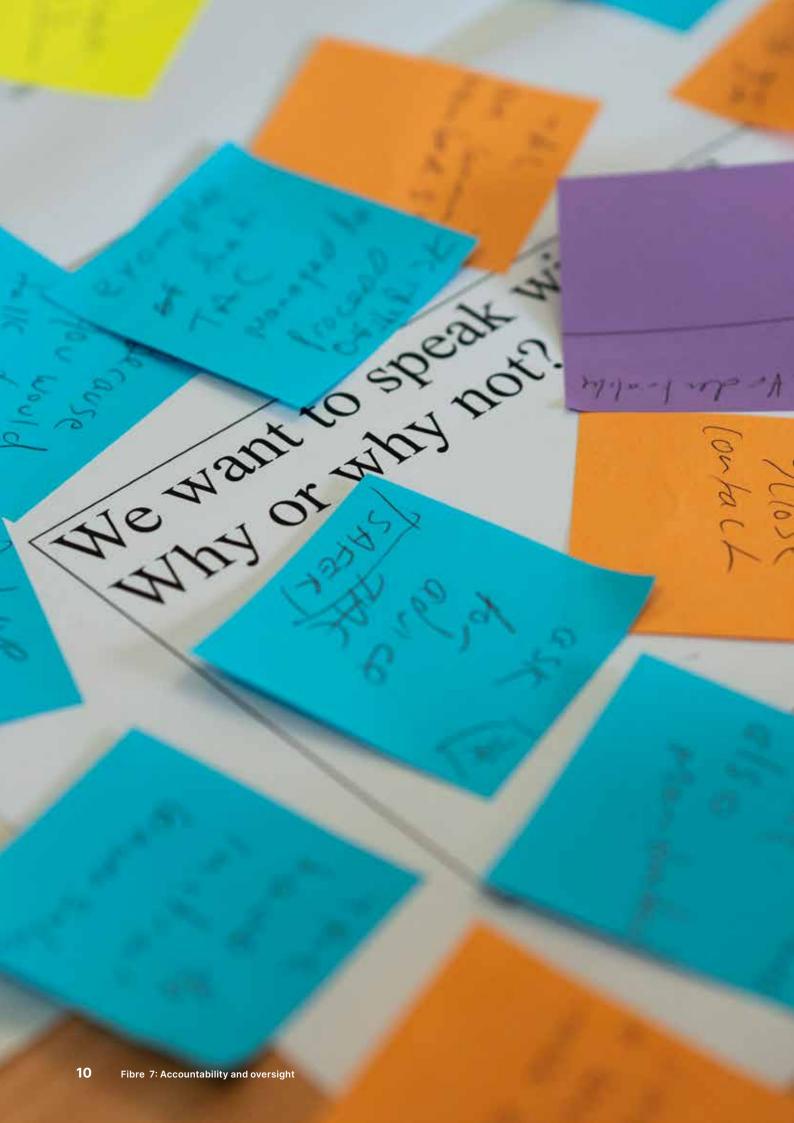
- independence, with institutional reporting arrangements identical to those of the Commissioner for Children and Young People
- autonomy, including for decisions regarding the management of their office, budget and related financial matters, reporting and oversight arrangements
- powers to independently investigate issues and make informed, culturally safe recommendations to ensure the rights and wellbeing of Aboriginal children
- scope of jurisdiction to extend beyond responding to instances of harm or danger to children in out-of-home care and the youth justice system.

A list of arrangements and appointees to Commissioner or similar roles in other Australian jurisdictions is included at <u>Appendix B</u>.

TAC continues to advocate for the Aboriginal community to ensure the Safe and Supported minimum requirements for Commissioners for Aboriginal Children and Young People are met. Aboriginal people, including children, need to have an active role in developing the position description and recruitment process in Lutruwita.

## Next steps

- Prioritise development of a Nukara Partnership Agreement between the Tasmanian Government, Tasmanian Aboriginal Centre and NGOs.
- Establish the Nukara Steering Committee.
- Continue to advocate for Safe and Supported minimum requirements to be embedded in the draft legislation and position description for the Commissioner for Aboriginal Children and Young People.
- Ensure active involvement of the Aboriginal community, including children, in selecting and appointing the position of Commissioner for Aboriginal Children and Young People.



## Appendix A: Submission on draft legislation

The Tasmanian Aboriginal Centre welcomes the opportunity to provide a response to the draft Commission for Children and Young People Act 2024 Act (draft Bill).

The Tasmanian Government has committed to establishing an Aboriginal and Torres Strait Islander Children's Commissioner or similar role under Action 7 of the *Aboriginal and Torres Strait Islander First Action Plan 2023-26* under Safe and Supported - the National Framework for protecting Australia's children.

This Action also commits all governments to work under shared decision-making arrangements with Aboriginal and Torres Strait Islander leaders to develop minimum requirements for Aboriginal and Torres Strait Islander Children's Commissioners. These standards set out the powers and functions these roles must have in order to uphold the rights of Aboriginal and Torres Strait Island children and young people.

Given these landmark commitments, it is deeply concerning and disappointing that TAC was not involved in the initial drafting of the Bill. As a result, the draft Bill fails to incorporate principal elements of the United Nations Paris Principles, which set the international standards for National Human Rights Institutions and emphasise a clear commitment to the highest standards of accountability.

#### **Minimum Standards**

The minimum requirements are in the final stages of development through agreement between governments and Aboriginal and Torres Strait Islander representatives.

At the time of writing this submission, the minimum requirements:

- were first drafted in 2023 by Aboriginal leaders with lived experience of the issues and challenges in achieving real and tangible outcomes for Aboriginal children
- were drafted to align with the Paris Principles and its benchmarks to guarantee meaningful representation, uphold self-determination, and establish a robust framework for accountability and justice
- are informed by the Aboriginal Commissioner legislative models in South Australian and Australian Capital Territory
- have undergone multiple rounds of negotiations with governments through the Safe and Supported governance structure throughout 2024.

In anticipation of the minimum requirements being finalised and government committing under Action 7 to establish or strengthen Commissioner roles in line with the minimum requirements, TAC strongly recommends that the Tasmanian government strengthen the draft bill to meet both the non-public draft minimum requirements, and the United Nations Paris Principles on which they are based.

The establishment of an Aboriginal Commissioner in Tasmania needs to be underpinned by strong legislation that amplifies the voices of Aboriginal children and young people in Tasmania and drives systemic reforms to support their rights and wellbeing and hold governments and services accountable.

Whilst the draft Bill references the United Nations Convention on the Rights of the Child, it must also acknowledge and uphold the rights of the Tasmanian Aboriginal community under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Key rights include the right to self-determination, the right to participate in decision-making on issues affecting their lives, and the right to freedom from all forms of violence and discrimination.

### Strengthening the draft Bill

The draft Bill has a number of gaps and limitations in how it enacts the Paris Principles as follows.

#### Independence and autonomy

Although the draft Bill gives the Aboriginal Commissioner its own powers and functions, it also creates a 'Commission' as an entity. The 'Commission' includes the Aboriginal Commissioner, the Commissioner for Children and Young People and the Child Advocate. The 'Commission' has its own powers and functions. These powers and functions are exercised by a vote of the Commission's members but can also be exercised by the Aboriginal Commissioner individually.

While this model may have some advantages, it also presents challenges in that it is specifically important for a Commissioner for Aboriginal children to be independent not only from government, but also from non-Aboriginal oversight.

Important limitations which should be addressed here include:

- autonomy for own budget (including budget submissions, prioritisation, and allocation of how resources are spent)
- autonomy to make decisions regarding the operation of its office. For example the work the Aboriginal Commissioner focuses on; the staff required to do this work; and recruitment of staff
- how information and data is identified, sourced, collected, stored, shared, and used to amplify the voices of Aboriginal children and young people, support their rights and wellbeing and to hold governments and services accountable
- autonomy for reporting (proposed in the draft Bill to be through the 'Commission').

TAC recommends legislation to establish a standalone Commissioner who works alongside other independent oversight and advocacy bodies.

TAC recommends that the Tasmanian Government should be guided by South Australia's fully legislated independent Commissioner for Aboriginal Children and Young People. The Tasmania Government should also be guided by the policy, any drafting instructions or draft Bill that relates to any amendments South Australia maybe considering to its Act to reflect all the minimum requirements and Paris Principles.

#### Investigation and exercise of powers

The Paris Principles require as broad a mandate as possible in relation to human rights, with functions to both "promote" (including education, advising, public outreach and advocacy) and "protect" (including monitoring, inquiring, investigating, reporting human rights violations and complaint handling)" human rights. This includes the power to "authorise the full investigation into all human rights violations."

To enable this, the Aboriginal Commissioner must have powers to independently investigate issues and make informed recommendations to promote Aboriginal children's rights and wellbeing and make strong recommendations on issues impacting Aboriginal children, ensuring their safety and rights are upheld. The draft Bill provides that the Aboriginal Commissioner can receive individual complaints but is unclear whether they can investigate complaints. The Aboriginal Commission can support a complaint to the Ombudsman, but this falls well short of what is required for two reasons. Firstly, the Ombudsman's jurisdiction to investigate complaints does not extend to actions of private institutions. Secondly, the limited budgets appropriated to Tasmanian oversight bodies in past years has impeded their ability to investigate matters. This was evidenced in the Tasmania's Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (Commission of Inquiry). The Commission of Inquiry found that Tasmanian investigative oversight bodies referred child sexual abuse complaints back to Agencies to investigate. In the case of the Ombudsman, the then Ombudsman referred an allegation about the sexually inappropriate behaviour of a worker at Ashley Youth Detention Centre to the Detention Centre's management and finalised the complaint.

An independent Aboriginal Commissioner with powers to investigate individual matters is best placed to uphold the rights and wellbeing of Aboriginal children who make complaints.

To meet the intent of the Paris Principles, the Aboriginal Commissioner needs the powers and functions to:

- receive, investigate and act on individual complaints against both public and private institutions, and individuals
- own motion investigation and inquiry powers into any matter that may affect the rights, development, safety and/or wellbeing of Aboriginal children and young people – for example, an own motion inquiry into a private school or hospital
- powers to inspect any premises, and not limited to facilities where children or young people are in youth detention, or other residential youth justice facilities.

#### Appointment process

Aboriginal and Torres Strait Islander Commissioners must be accountable to their Aboriginal and Torres Strait Islander community. Aboriginal adults and young people need to be involved in the design and appointment process in a manner that reflects shared decision-making and the importance of the role having the confidence of the community that it serves. This is self-determination and autonomous decision-making in action, as envisaged under *United Nations Declaration on the Rights of Indigenous Peoples*.

Schedule 1 of the draft Bill should include:

- Aboriginal adults and young people must be involved in developing the appointment process for the Aboriginal Commissioner
- the majority of any panel are Aboriginal members (Commission of Inquiry recommendation 18.7(c)).

### Jurisdiction

TAC is encouraged that the Bill focuses on children and young people involved with statutory systems, particularly child protection and youth justice. The Aboriginal Commissioner will be key in tackling the over-representation of our children and young people in Out of Home Care and youth detention. However, it is important that legislation enable the Aboriginal Commissioner to examine other areas such as schools, hospitals, youth centres to name a few. These spaces are equally vital to ensuring Aboriginal children and young people's safety, wellbeing, and opportunities.

The Aboriginal Commissioner's jurisdiction should also be strengths-based and go beyond responding to instances of harm or danger. It is essential to maintain a consistent and proactive focus on empowering Aboriginal children and young people. Own motion powers are required (as discussed above).

### Aboriginality

Clause 13 of the draft Bill specifies that the Commissioner for Aboriginal Children and Young People must be "a person known to be Aboriginal or Torres Strait Islander", which aligns with the definition in clause 44 of the National Agreement on Closing the Gap. The draft Bill provides that the Aboriginal Commissioner needs to be 'accepted as, by a recognised Aboriginal/ Torres Strait Islander organisation,' and links this definition to being an Aboriginal Community Controlled Organisation within the meaning of clause 44 of the National Agreement on Closing the Gap.

There is a risk that TAC, despite being the only Tasmanian member of the Coalition of Aboriginal and Torres Strait Islander Bodies (Coalition of Peaks), who are the formal partners with Australian governments and share in decision-decision making on Closing the Gap, would not necessarily be the only Tasmanian based organisation 'recognised' under the draft Bill as an Aboriginal organisation capable of recognising the appointee.

The definition should require that an organisation be recognised, accepted by or a member of the Coalition of Peaks to meet the definition under clause 44.

#### Nationally

Victoria's Commissioner for Children and Young People supports and regulates organisations through their 11 Child Safe Standards and its Reportable Conduct Scheme. Victoria has had an Aboriginal Commissioner for over 10 years, although not enshrined in legislation. We understand that Victoria is quite advanced in developments to legislate a dedicated Aboriginal Commissioner that reflects the minimum standards.

Considering the similarity with Victoria's current model and the one being proposed in the draft Bill, the Tasmanian government should take learnings from their Victorian counterparts.

In January 2025, an interim National Commissioner for Aboriginal and Torres Strait Islander Children and Young People will commence. Under Action 7 of the *Aboriginal and Torres Strait Islander First Action Plan 2023-26* under Safe and Supported, all State and Territories have committed to establishing equivalent advocacy and accountability roles in all jurisdictions. The strength and connection between all Aboriginal Commissioners will drive transformational change Aboriginal children need and deserve.

TAC strongly advocates for the Tasmanian Government to deliver legislation that reflects all elements of the United Nations Paris Principles and the minimum requirements developed in partnership with all governments through Action 7, which complements the intent of the relevant Commission of Inquiry's recommendations.



## Appendix B: Commissioner for Aboriginal Children (or similar role) as at January 2025

| Jurisdiction                               | Role  | <b>Relevant legislation</b>  |
|--|---|--|
| <b>National</b><br>Commenced<br>Jan 2025   | Acting Commissioner for Aboriginal and Torres Strait Islander<br>Children and Young People<br>Ms Lil Gordon was the inaugural appointee   | Legislation to follow  |
| <b>SA</b><br>Commenced 2018                | Commissioner for Aboriginal Children and Young People<br>Ms April Lawrie was the inaugural appointee  | Children and Young People<br>(Oversight and Advocacy<br>Bodies) Act 2016                       |
| <b>ACT</b><br>Commenced<br>Feb 2024        | Commissioner for Aboriginal and Torres Strait Islander Children<br>and Young People<br>Ms Vanessa Turnbull-Robert was the inaugural appointee   | Aboriginal and Torres Strait<br>Islander Children and Young<br>People Commissioner Act<br>2022 |
| <b>TAS</b><br>Due to commence<br>July 2026 | Commissioner for Aboriginal Children and Young People<br>No appointment yet   | DRAFT legislation<br>Commission for Children and<br>Young People Bill 2024                     |
| <b>QLD</b><br>Commenced 2014               | Commissioner for the Queensland Family and Children<br>Commission<br>Ms Natalie Lewis was appointed 2020<br>The Commissioner is a Gamilaraay woman<br>Independent statutory Aboriginal Children's Commissioner role<br>committed to by Government in May 2024 – not yet enacted | Family and Child Commission<br>Act 2014  |
| <b>WA</b><br>Commenced<br>Jan 2015         | Commissioner for Children and Young People<br>Ms Jacqueline McGowan-Jones was appointed 2022<br>The Commissioner is Arrente/Warramungu woman  | Commissioner for Children<br>and Young People Act 2006   |
| NT<br>Commenced 2008                       | Children's Commissioner<br>Ms Shahleena Musk was appointed 2024<br>The Commissioner is a Larrakia woman   | Children's Commissioner<br>Act 2013  |
| VIC<br>Commenced 2013                      | Aboriginal Children Commissioner role<br>Ms Meena Singh was appointed 2022<br>The Commissioner is a Yorta Yorta woman   | Non statutory role   |
| <b>NSW</b><br>Commenced<br>Jan 2021        | Deputy Children's Guardian for Aboriginal Children and<br>Young People<br>Mr Richard Weston was the inaugural appointee<br>The Deputy Guardian is a Meriam man  | Non statutory role   |

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