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Supporting Documents for Media Statement

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Stolen Generation Continues- the Yolngu Nation says No to the Removal of Yolngu citizens

- In Australia, ***The Aboriginal and Torres Strait Islander Child Placement Principle***, which has been incorporated in legislation and policies across Australia, outlines a preferred order for Aboriginal out-of-home care
 - Carers within the family and kinship networks
 - Non-related carers in the child's community and then
 - Carers in another Aboriginal community

(Children in Care, CFCA resource sheet – October 2016, Australian Institute of Family Studies)

- ***NT Legislation: CARE AND PROTECTION OF CHILDREN ACT 2007 (NO 37 OF 2007) - SECT 12***

Aboriginal children

(1) Kinship groups, representative organisations and communities of Aboriginal people have a major role, through self-determination, in promoting the wellbeing of Aboriginal children.

(2) In particular, a kinship group, representative organisation or community of Aboriginal people nominated by an Aboriginal child's family should be able to participate in the making of a decision involving the child.

(3) An Aboriginal child should, as far as practicable, be placed with a person in the following order of priority:

- (a) a member of the child's family;
- (b) an Aboriginal person in the child's community in accordance with local community practice;
- (c) any other Aboriginal person;

(d) a person who:

(i) is not an Aboriginal person; but

(ii) in the CEO's opinion, is sensitive to the child's needs and capable of promoting the child's ongoing affiliation with the culture of the child's community (and, if possible, ongoing contact with the child's family).

(4) In addition, an Aboriginal child should, as far as practicable, be placed in close proximity to the child's family and community.

- In 2010 the NT Children's Commissioner Howard Bath conducted an inquiry that recommended that a family placement be adopted - which empowers and resources the extended family of an at risk child, in decision making about their protection. The Inquiry report articulates "the need for Aboriginal controlled child and family service organisations... Building on its commitment to self determination, the Inquiry proposes a comprehensive conceptual model for consideration of and participation by Aboriginal people in the delivery of programs and services to Aboriginal children and young people involved in the child protection system and in all aspects of decision-making."

(Growing them strong, together: Promoting the Safety and Wellbeing of the Northern Territories Children, Report of the Board of Inquiry into the Child Protection System in the Northern Territory 2010, page 18)

- Further to this, the current NT Children's Commissioner, Colleen Gwynne has also made a statement to the current Royal Commission into the Protection and Detention of Children stating that " more indigenous children should be placed with Aboriginal families. The NT has the highest child placement rate in the country but a comparatively low rate of placement of Aboriginal children in kinship care."

(NT Aboriginal Survival Rest on Inquiry, news.com.au, 12 Oct 2016)

- **Article 23 of the UN Rights of Indigenous People:** "In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions. "

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