



## MEDIA RELEASE

5 June 2025

Wakwakurna Kanyini acknowledges the passing of the *Child and Young People (Safety and Support) Bill* through the South Australian Parliament. The Bill passed with additional amendments that have been negotiated in recent months, following the Report of the Select Committee of the Legislative Council.

Wakwakurna Kanyini welcomes the following insertions in the State's child protection legislation:

- The full five elements of the Aboriginal and Torres Strait Islander Child Placement Principle, to the standard of Active Efforts
- Provisions to recognise peak bodies, mandating consultation on policy and reform
- Provisions to delegate functions of the department to Recognised Aboriginal or Torres Strait Islander organisations, in line with the Aboriginal and Torres Strait Islander Action Plan under *Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031*

We also welcome the removal of several invalidity clauses within the original Bill, strengthening the requirement to apply the Aboriginal and Torres Strait Islander Child Placement Principles in policy and practice.

### **Quotes attributable to Ashum Owen, CEO of Wakwakurna Kanyini:**

"We are disappointed that very few of the legislative recommendations of the Commissioner for Aboriginal Children and Young People's Inquiry report (*Holding on to Our Future*) have been implemented in this legislative reform. Recommendations that have been addressed in the Bill have been partially implemented, which fails to uphold the intention of the recommendations. This does not go far enough in demonstrating the SA Government's stated commitment to transformation of the child protection system.

"After decades of Inquiries and Royal Commissions that have excluded Aboriginal perspectives and lived experiences, the Commissioner's Inquiry centred the voices of our families and communities. It provided an evidence-based assessment of the child protection system through rigorous data and policy analysis, with the strength of truth-telling that our communities have been calling for. The failure to implement all *Holding on to Our Future* legislative recommendations is a significant missed opportunity to demonstrate a genuine commitment to the self-determination of Aboriginal children, families and communities.

"The Bill as passed does not go far enough in ensuring the best interests of the child is the paramount consideration for all decisions affecting children and young people in contact with the child protection system. The failure to uphold the primacy of the best interests of the child contradicts with both the United Nations Convention on the Rights of the Child and the final report of the Select Committee established to inquire and report on the Bill.

"The Bill and its amendments do not go far enough in mandating the provision of culturally safe family group conferencing; a mechanism that enables Aboriginal family-led decision-making and ensures that family and kin can genuinely participate in decision-making processes.

"The Bill does not go far enough in restoring power to the court to make decisions regarding contact arrangements. The administrative process does not uphold the right to judicial fairness for families.

"We hope that today's SA state budget provides appropriate funding provisions to support the child and family sector to implement the new arrangements commencing under the Bill.

"Wakwakurna Kanyini is committed to working with the Minister and Department for Child Protection to ensure genuine implementation of the new legislation over the next two years. We are determined to elevate the voices of the Aboriginal community, as heard in *Holding on to Our Future*, and various other reports, inquiries and forums, to uphold the rights of Aboriginal children, and their families.

"We are committed to advocating for approaches to delegated authority that genuinely support self-determination and meet the needs of our families, communities and Aboriginal Community Controlled Organisations at the local level. We will continue to advocate for systemic change to ensure the child protection system is accountable to our children and families".

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**For all media queries, please contact Ashum Owen on 0461 549 412.**