



Australian Permanent Mission
to the United Nations
Geneva

14 January 2026

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Albert K. Barume
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Special Procedures Branch
Office of the High Commissioner for Human Rights
Palais des Nations
121 Geneva 10
SWITZERLAND
Reference: JAL AUS6/2025

Dear [REDACTED]

Thank you for your correspondence of 13 October 2025 conveying a Joint Communication from the Special Rapporteur on extreme poverty and human rights and the Special Rapporteur on the rights of Indigenous Peoples.

Australia takes its international human rights obligations very seriously and is committed to protecting and promoting universal human rights through legislation, policy and programs at all levels of government. This includes its commitment to protecting and promoting the rights of all children in Australia, including First Nations children, and its obligations to eliminate all forms of racial discrimination. The Australian Government is strongly committed to the principle that human rights apply equally to all people.

Australia has adopted an array of legislative and other measures to prevent and punish discrimination on the basis of race, colour, descent or national or ethnic origin. This includes through the Racial Discrimination Act 1975 (Cth) and through designating an Australian Human Rights Commission (AHRC). The *Racial Discrimination Act 1975* protects an individual's right to be free from discrimination on the grounds of race, colour, descent or national or ethnic origin in any field of public life. The Act prohibits unlawful discrimination or vilification on these grounds and fulfils Australia's obligations under the United Nations International Convention on the Elimination of all forms of Racial Discrimination. The AHRC is an independent third party that investigates and conciliates complaints about discrimination and human rights breaches. As part of the AHRC, Australia also appoints a National Children's Commissioner and an Aboriginal and Torres Strait Islander Social Justice Commissioner. These Commissioners monitor policy and legislation for the purpose of promoting respect for the human rights of children and Aboriginal persons and Torres Strait Islanders, respectively, in Australia.

In addition to these Commissioners, Australia recently established the National Commission for Aboriginal and Torres Strait Islander Children and Young People on 13 January 2025 and appointed the National Commissioner, Sue-Ann Hunter, from 1 September 2025.

Child protection guidelines in Australia

In Australia, state and territory governments are responsible for frontline support services for children, including the care and protection of children and young people experiencing, or at risk of, abuse or neglect.

This means the Western Australian Government operates its own child protection guidelines, independent of the Australian Government. To help answer your correspondence, we have consulted with the Western Australian Government.

The Australian Government's role in protecting children

The Australian Government believes every child has the right to grow up safe, connected and supported in their family, community and culture. While states and territories have statutory responsibility for child protection systems, the Australian Government provides national leadership in improving the wellbeing of Australia's children, families and communities. The Australian Government provides a range of services that support child safety which include income and family support payments, the Child Care Subsidy, the child support scheme, Medicare, family support services, legal assistance and the family law system.

Family assistance payments are targeted through income testing to ensure payments help provide an adequate level of support, particularly for children in low income families. These payments include Family Tax Benefit Part A and Part B, Child Care Subsidy, Newborn Supplement and Rent Assistance. Paid Parental Leave is also available to eligible parents with newborn or recently adopted children to take time off work while they care for their child.

National Agreement on Closing the Gap and Target 12

Through the National Agreement on Closing the Gap (National Agreement), Australian governments work in genuine partnership with Aboriginal and Torres Strait Islander communities to improve life outcomes. Grounded in principles of self-determination and non-discrimination, the National Agreement aims to achieve life outcomes for Aboriginal and Torres Strait Islander peoples that are equal to all other Australians. The National Agreement includes 17 socio-economic outcomes and 4 Priority Reforms. Target 12 of the National Agreement commits all governments to reduce the rate of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent by 2031.

The Partnership Agreement on Closing the Gap (Partnership Agreement) outlines the shared decision-making arrangements of the National Agreement. The Partnership Agreement is between the Commonwealth, state and territory governments, the Australian Local Government Association and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (Coalition of Peaks), a representative body of more than 80 Aboriginal and

Torres Strait Islander community-controlled peak organisations (ACCOs). The structure of Joint Council ensures that all Parties share responsibility and accountability for achieving the outcomes of the National Agreement, including Target 12.

Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031

The Australian Government, state and territory governments, First Nations representatives and the non-government sector are working together through *Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031* (Safe and Supported) towards the shared goal of making significant and sustained progress in reducing the rate of child abuse and neglect and its intergenerational impacts. Safe and Supported sets out a 10-year strategy to improve the lives of children, young people and families experiencing disadvantage or who are vulnerable to abuse and neglect. Safe and Supported will support achieving Target 12 under Closing the Gap.

Safe and Supported has been developed in partnership with First Nations representatives through an Aboriginal and Torres Strait Islander Leadership Group, marking a fundamental shift in the way governments work to ensure First Nations people are leading the decisions that impact their lives.

Progress under the *Safe and Supported: First Action Plan 2023-2026* and *Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026* has included:

- Establishment of the National Commission for Aboriginal and Torres Strait Islander Children and Young People on 13 January 2025 and appointment of the National Commissioner, Sue-Ann Hunter, from 1 September 2025.
- Flexible funding for 15 ACCOs through the Improving Multidisciplinary Responses program to strengthen supports for First Nations families by connecting providers to deliver holistic, coordinated and culturally safe services.
- A legal supports scoping study on the barriers experienced by Aboriginal and Torres Strait Islander children and families in accessing legal supports.
- The National Child and Family Investment Strategy, which will shift towards adequate and coordinated funding of early, targeted, healing-informed and culturally safe support services that are effective in supporting children and families and are delivered by ACCOs.
- The Innovation Fund providing \$9.850 million to 10 ACCOs to prepare for the transition of family and children services from non-Indigenous organisations, by investing in organisational readiness such as staffing, IT systems, governance and compliance processes, and community-designed service models.
- A scoping study for a National Aboriginal and Torres Strait Islander Centre of Excellence in Child and Family Support. The Centre will provide a central point to bring evidence-based and outcomes-focused approaches to the development and delivery of policies and programs affecting vulnerable and disadvantaged

First Nations children and young people, including those at risk of, or who have experienced, family and domestic violence, abuse or neglect.

National Plan to End Violence against Women and Children 2022-2032

Through *the National Plan to End Violence against Women and Children 2022–2032* the Australian Government also invested \$262.6 million over five years from 2022-23 in the safety of Aboriginal and Torres Strait Islander families through the implementation of the Aboriginal and Torres Strait Islander Action Plan 2023-2025.

Initiatives taken forward include:

- Implementation and expansion of the Leaving Violence Program Regional Trials
- Implementation of four immediate priority grant programs for crisis accommodation, men’s wellness centres, programs in ACCOs, and programs for children
- Development work for a First Nations-led family, domestic and sexual violence data collection
- Commencement of work to establish a National Peak Body for Aboriginal and Torres Strait Islander Family Safety.

Housing supports

The Australian Government understands that safe and affordable housing is central to the security and dignity of all Australians. Housing and homelessness is a shared responsibility between the Commonwealth and state and territory governments. The Australian Government has invested \$275 million through the Safe Places Emergency Accommodation program and the Crisis and Transitional Accommodation Program to deliver crisis and transitional accommodation. More broadly, under the National Agreement on Social Housing and Homelessness (NASHH), the Australian Government is providing \$9.3 billion over 5 years from 2024 to jurisdictions to support the effective operation of Australia’s social housing and homelessness services sectors. Under the NASHH, WA will receive around \$994.7 million over 5 years. Under the \$10 billion Housing Australia Future Fund (HAFF), 40,000 new social and affordable rental homes, as well as a range of acute housing needs, will be supported over 5 years from 2024.

Western Australian context

Western Australia’s (WA) commitment to protecting and promoting human rights is reflected in its strong domestic laws, policies, and institutions, which function to protect human rights and support robust public debate of human rights issues. Since Australia endorsed the United Nations Declaration of the Rights of Indigenous People in 2009, and in line with WA’s commitments under the National Agreement on Closing the Gap, the State Government has taken significant steps to implement the Declaration and promote Aboriginal people’s enjoyment of rights on an equal basis.

The WA Government has released two Implementation Plans developed in consultation with the Aboriginal Advisory Council WA and our Coalition of Peaks jurisdictional partner, the

Aboriginal Health Council of WA. The two implementation plans align closely with the WA Aboriginal Empowerment Strategy 2021-2029, which sets the WA Government's approach for working with Aboriginal people towards empowerment and better outcomes.

In 2025, the WA Government announced the WA Stolen Generations Redress Scheme, available to Aboriginal people who were removed from their families as children in WA before 1 July 1972. The Scheme recognises the enduring impacts of past child removal policies in WA. The redress scheme has been developed in partnership with Aboriginal organisations, to ensure it is trauma-informed, culturally respectful, and responsive to the needs of those affected. It recognises the profound and lasting harm caused by these policies, which led to separation from family, community, Country, and culture.

The Department of Communities (Communities) in WA is a lead agency for human services. It works across government, with families and community, partner agencies and the community service sector to deliver services and develop state-wide strategy in the areas of child protection, community services, disability services, early childhood education, homelessness, prevention of family and domestic violence, seniors and ageing, volunteering, women's interests, and youth.

Communities is the department principally assisting the Minister for Child Protection in the administration of the Children and Community Services Act 2004 (the Act). The Minister for Child Protection is also the Minister for the Prevention of Family and Domestic Violence enabling a strong focus on collaborative action across portfolio areas.

In line with its obligations under the Act, Communities delivers programs and services, including earlier intervention and family support services, to prevent children entering care and to care for those who need to enter care, to address individual safety, health, and developmental needs and to support the development of safe and nurturing environments that respect family, relationships, and culture.

The Act provides for, inter alia, the protection and care of children and for other matters concerning the wellbeing of children, other individuals, families, and communities in WA.

The Act sets out general principles that apply for all children, as well as specific principles relating to Aboriginal and Torres Strait Islander children, including principles recognising the importance of self-determination, community participation and the Aboriginal and Torres Strait Islander child placement principle which has the objective of maintaining family and cultural connection for Aboriginal and Torres Strait Islander who are the subject of placement arrangements in OOHC.

The Act details the provisions relating to the protection and care of children, measures to safeguard or promote child's wellbeing, requirements in relation to children in OOHC, and requirements around consultation and planning for Aboriginal or Torres Strait Islander children and young people in care.

A Statutory Review of the Act was completed and was tabled in WA State Parliament in November 2017. The Statutory Review examined the operation and effectiveness of the Act, and with a particular focus on improvements in outcomes for children who are in OOHC, and especially strengthening connection to family, culture, and Country for Aboriginal children in OOHC. The next Statutory Review of the Act is scheduled for 2027.

The WA Child Protection Guide is a resource for child safety practitioners, informed by and aligned with the Act and Communities' frameworks, action plans and other publications to provide consistent practical instruction and theoretical context to enable workers to undertake their roles including assessing different types of abuse and or neglect, as defined in section 28 of the Act.

The WA Child Protection Guide details the WA Signs of Safety Framework. The framework aims to promote professional collaboration and family engagement in addressing child abuse or safety concerns. The framework emphasises constructive working relationships, inquiry techniques, and mutually agreed safety goals. The framework also explores harm and danger while building on existing strengths and safety within families, their children and their networks. The framework is being revised to enhance cultural responsiveness., improve accessibility and inclusion and ensure alignment with family and domestic violence and trauma informed practice. In 2025, WA introduced a new principle to the WA Signs of Safety Framework, 'culture at the heart', and new discipline, 'culture guides practice at every step.'

The Child Protection Guide is publicly available can be accessed via <https://www.wa.gov.au/organisation/department-of-communities/child-protection-guide>

The WA State Government is addressing Target 12 of the National Agreement on Closing the Gap and WA's response to Safe and Supported through a program of investments and reforms. The reforms have been identified by Aboriginal people and community and encompass a whole-of-State Government approach. Reflecting the voices of Aboriginal children and their families is central to the development of WA's responses.

Reforms and initiatives developed with WA Aboriginal community are focussed on:

- Investment and strengthening the ACCO sector
- Strengthening workforce with a focus on culturally responsive practice
- Delivery of early supports and action on the social determinants linked to involvement with child protection, including family and domestic violence
- Enhancing support for Aboriginal children and families
- Supporting and promoting cultural authority of Aboriginal families and communities, such as AROs and Aboriginal Family Led Decision Making programs delivered by ACCOs.

Communities works in close partnership with ACCOs and Aboriginal advisory and peak bodies. The Council of Aboriginal Services WA was formed in March 2023 as an ACCO peak body representing the broader ACCO sector in WA.

Overarching WA Government strategies guiding WA's efforts include:

- WA Whole of Government ACCO Strategy
- Department of Communities ACCO Strategy 2022-32
- Aboriginal Family Safety Strategy 2022-32
- All Paths Lead to a Home: Western Australia's 10 Year Strategy on Homelessness 2020-30.
- Earlier Investigation and Family Support Strategy
- Department of Communities Aboriginal Workforce Strategy 2025-30

Recent examples of the WA State Government's commitment to increasing investment in the ACCO sector, reducing the number of Aboriginal children in care and enabling improved safety, wellbeing and outcomes for Aboriginal children, young people and families include:

- In August 2025 the WA Government announced new Earlier Intervention and Family Support (EIFS) programs across WA, delivering a record level of Aboriginal-led support for children and families.
- The Aboriginal Family Safety Strategy 2022-2032 sets out a cross-government initiative for addressing family violence impacting Aboriginal women, children, families and communities. Initiatives and investment also support implementation of the Strengthening Responses to Family and Domestic Violence System Reform Plan 2024-2029. The foundation of the Plan is a strong and supported specialist family and domestic violence service sector that includes Aboriginal led responses to family safety. Investment includes a new Indigenous Healing Service (IHS) for Aboriginal children and young people aged 5-18 impacted by family and domestic violence in the Great Southern will be delivered by Yorgum Healing Services Aboriginal Corporation. This is part of an \$8.2 million package to deliver accessible therapeutic services to children and young people affected by family violence. The IHS model is informed by traditional and local Aboriginal healing and can include culturally based brief interventions, yarning circles, group and individual counselling, and community education sessions.

I trust this information is of assistance. We note the Special Rapporteur on the rights of Indigenous Peoples' intention to visit Australia in 2026, and welcome the opportunity to discuss this important issue directly with relevant parties then.

Yours sincerely



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to the United Nations and to the Conference on Disarmament, Geneva