

APPENDIX 6

The placement principles for Aboriginal and Torres Strait Islander children, young people and families

Extract from the *Children and Young Persons (Care and Protection) Act 1998*

Section 13 Aboriginal and Torres Strait Islander Children and Young Person Placement Principles

(i) The general order for placement

Subject to the objects in Section 8 and the principles in Section 9, an Aboriginal or Torres Strait Islander child or young person who needs to be placed in out-of-home care is to be placed with:

- (a) a member of the child's or young person's extended family or kinship group, as recognised by the Aboriginal or Torres Strait Islander community to which the child or young person belongs, or
- (b) if it is not practicable for the child or young person to be placed in accordance with paragraph (a) or it would not be in the best interests of the child or young person to be so placed – a member of the Aboriginal or Torres Strait Islander community to which the child or young person belongs, or
- (c) if it is not practicable for the child or young person to be placed in accordance with paragraph (b) or it would not be in the best interests of the child or young person to be so placed – a member of some other Aboriginal or Torres Strait Islander family residing in the vicinity of the child's or young person's usual place of residence, or
- (d) if it is not practicable for the child or young person to be placed in accordance with paragraph (a), (b) or (c) or it would be detrimental to the safety, welfare and wellbeing of the child or young person to be so placed – a suitable person approved by the Director-General after consultation with:
 - (i) members of the child's or young person's extended family or kinship group, as recognised by the Aboriginal or Torres Strait community to which the child or young person belongs, and
 - (ii) such Aboriginal or Torres Strait Islander organisations as are appropriate to the child or young person.

REFER Sections 11, 12 and 14 of the *Children and Young Persons (Care and Protection) Act 1998* cover further principles in relation to Aboriginal and Torres Strait Islander people.