

24/02/2023

MDAS Responds to new Victorian legislation

The introduction of the Children and Health Legislation Amendment Bill 2023 welcomed as a step towards improving service delivery for Aboriginal communities.

The Chief Executive of Mallee District Aboriginal Services, Ms. Darlene Thomas, has tentatively welcomed the Victorian Government's introduction of the Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Bill 2023, saying it's a pleasing step in the process of closing the gap, but she also emphasised that real change takes time and ongoing commitment.

"This new legislation was drafted in consultation with the Victorian Aboriginal Children and Young People's Alliance, representing Aboriginal Community Controlled Organisations (ACCOs) from across the state, and the Victorian Aboriginal Child Care Agency, and reflects the expertise and lived experiences of our people. We need to see more of this," Ms. Thomas said.

The legislation that was brought to Parliament on Tuesday expands the role of Aboriginal organisations delivering child and family services and seeks to ensure that when care is provided to Aboriginal children and young people, it is culturally safe and focused on the best interests of the child.

"This legislation will improve information sharing between the Government and ACCOs and broadens the scope of circumstances where Aboriginal agencies can deliver the services our families and young people need.

"We know past practices have not worked. We can see that in each child and family that has been failed by a system that denied their culture. To move forward and do better for our people, we must have policies in place that address cultural needs and have a holistic approach.

"The new amendments to the Act will provide a foundation for Aboriginal voices to be heard in rulings being made about their lives, identifying factors that decision makers like the Children's Court must consider. I hope with Aboriginal input, we see an increase in decisions that serve to protect cultural and community connection and safely keep, or reunite, Aboriginal children with their families."

But to achieve this, Ms. Thomas says the Government must commit to ongoing meaningful dialogue with Aboriginal organisations.

"They need to keep listening to our stories and the experiences of our people – not as a 'tick-a-box exercise' – and they need to act on the advice we give."

Ms. Thomas said that the country's failure, thus far, to meet the Close the Gap targets is evidence that a new approach is needed.

"If we keep doing the same things, we are going to keep getting the same results.

"I hope that this new legislation is the beginning of the real change we need in Victoria, that the Government uses the insights we can provide to drive lasting change."

ENDS