

13 Aboriginal and Torres Strait Islander wellbeing

Key messages

Aboriginal and Torres Strait Islander children and young people continue to experience significant levels of disadvantage, as reflected in poorer outcomes in a range of areas such as neglect and abuse, youth offending, health, education and social development.

Improvements

The Council of Australian Governments (COAG) launched the *Closing the Gap* approach to reducing Indigenous disadvantage by focusing on six key target areas. The coordinated approach will focus on programs and initiatives at the local, state and national levels, to give Indigenous Australians access to opportunities that allow for self-respect, independence and improved living standards, while maintaining a strong cultural identity and sense of community.

The National Child Protection Framework, announced in April 2009, recognises the importance of maintaining connections with family, communities and culture for children in the child protection system. Indigenous children being supported and safe in their families and communities is one of six key outcomes supporting the overarching goal of the framework.

Areas of concern

The rates of Aboriginal and Torres Strait Islander children and young people who have been subject to substantiated harm or neglect, particularly among infants aged under 1 year, is particularly disturbing.

Indigenous children are more than five times more likely than the general population of Queensland children to be on protective orders and to be living in alternative care. However, steps to improve links with culture and community for vulnerable children have resulted in an increase in Indigenous children and young people in alternative care who are living with relatives or in kinship care.

The mortality rates of Indigenous infants and children and young people is about two times higher than the respective Queensland state averages.

Indigenous young people are in youth detention at a rate almost ten times higher than the Queensland average, with almost two-thirds of young people in detention being Indigenous.

This chapter explores the disadvantage experienced by Aboriginal and Torres Strait Islander children and young people in Queensland. As described in this year's and previous *Snapshot* reports, Indigenous children and young people continue to have poor health, educational and social outcomes and are over-represented in both the child protection and the youth justice systems.

This chapter provides a summary of contemporary data for some key areas of Indigenous disadvantage, and compares the rates against Queensland averages. The majority of the data have been reported elsewhere in the *Snapshot* report. This chapter then focuses on some of the major initiatives and actions that are being undertaken, at both the state and the national level, to reduce the disadvantage experienced by this particularly vulnerable group of children and young people in Queensland.

Health and mortality of Indigenous children and young people

Aboriginal and Torres Strait Islander children and young people are more vulnerable to a range of health conditions, as well as having higher mortality rates among infants and the remainder of the child and young person population.

Mortality rates for Aboriginal and Torres Strait Islander infants are almost two times greater than the Queensland state average. The Indigenous infant mortality rate has been decreasing slightly over recent years (Table 13.1).

Indigenous mortality rates for children and young people aged 1–17 years are more than double those of the Queensland general 1–17 year population.

Table 13.1 Indigenous mortality

	2004–2006	2005–2007	2006–2008	2006–2008 Queensland	Indigenous proportion
	Numbers				Per cent
Indigenous mortality (numbers)					
Infants (0–1 years)	124	109	na	873	12.5
1–17 years	61	63	73	554	13.2
	2004–2006	2005–2007	2006–2008	2006–2008 Queensland	Rate ratio
	Annual mortality rate				
Indigenous mortality rates					
Infants (0–1 years) (per 1000 live births)	11.8	9.7	na	5.3	1.8
1–17 years (per 100,000)	38.8	37.2	40.9	19.3	2.1

Note: Years stated refer to three-year rolling averages.

Source: CCYPCG, *Queensland Child Death Register*; OESR, *Experimental Indigenous Resident Population*

Indigenous babies are more likely than Queensland babies in general to be born underweight (under 2500g) or with a shorter gestation period (Table 13.2).

In terms of use of disability services, Indigenous children and young people received Commonwealth State Territory Disability Agreement (CSTDA) services at a rate equivalent to the general Queensland population of children and young people (Table 13.3).

Table 13.2 Selected health issues affecting Indigenous children

	2005	2006	2007	2007 Queensland	Indigenous proportion/rate ratio
Indigenous babies born weighing less than 2500g					
Number	346	343	389	4111	9.5
Rate (per 1000 live births)	11.4	11.6	10.7	6.8	1.6
Indigenous babies gestation under 37 weeks					
Number	373	378	401	5242	7.6
Rate (per 1000 live births)	12.3	12.7	12.5	8.7	1.4

Source: Queensland Health, *Perinatal Statistics*; OESR, *Experimental Indigenous Resident Population*

Table 13.3 Indigenous children with a disability

	2005–06	2006–07	2007–08 ^a	2007–08 Queensland ^a	Indigenous proportion
	Number				Per cent
Indigenous children receiving CSTDA services^b					
0–4 yrs	61	58	81	1401	5.8
5–14 yrs	199	215	276	3770	7.3
15–17 yrs	64	74	107	1173	9.1
0–17 yrs	324	347	464	6344	7.3
	Rate per 1000		Rate per 1000		Rate ratio
Indigenous children receiving CSTDA services^b					
0–4 yrs	3.5	3.0	3.5	4.3	0.8
5–14 yrs	5.7	5.7	7.3	6.6	1.1
15–17 yrs	6.7	7.4	10.1	6.6	1.5
0–17 yrs	5.2	5.2	6.8	6.2	1.1

na Not available.

CSTDA Commonwealth State Territory Disability Agreement.

a. 2007–08 data are preliminary.

b. CSTDA services are provided for persons who have high support needs.

Source: Disability Services Qld (unpublished data); ABS, *Population by Age and Sex*, cat. no. 3201.0; OESR, *Experimental Indigenous Estimated Resident Populations* (unpublished)

Educational outcomes for Indigenous children

As discussed in Chapter 11, Aboriginal and Torres Strait Islander children and young people had lower Year 12 retention rates, with just 60.5% of Indigenous students who started Year 8 being enrolled in Year 12 five years later.

The performance by Indigenous students on the initial National Assessment Program – Literacy and Numeracy was below that of Queensland students in general for reading and numeracy across all year levels assessed (Table 13.4).

Table 13.4 Indigenous literacy and numeracy performance, Queensland, 2008

	Year 3		Year 5		Year 7		Year 9	
	Indigenous	Queensland	Indigenous	Queensland	Indigenous	Queensland	Indigenous	Queensland
Reading	66.2	87.1	62.9	86.9	74.8	92.9	70.0	90.5
Numeracy	75.5	92.0	69.5	90.4	81.8	94.9	73.2	92.4

Source: MCYEETA, *Achievement in Reading, Writing, Language Conventions and Numeracy 2008*

Aboriginal and Torres Strait Islander children at risk of requiring child protection

Indigenous children and young people are over-represented in the statutory child protection system (Table 13.5). Almost one-quarter (22.1%) of children who had substantiations of harm or risk of harm in 2007–08 were Indigenous. Substantiations of Indigenous children were most prevalent among infants (28.6%) and 1–4 year olds (26.0%).

Aboriginal and Torres Strait Islander children and young people are also over-represented in protection and assessment orders, with almost one-third (31.5%) of children on orders being Indigenous in 2007–08. Indigenous children were on protection orders at a rate more than five times greater than that for the general Queensland population.

Table 13.5 Indigenous children in the child protection system

	2005–06	2006–07	2007–08	2007–08 Queensland	Indigenous proportion	2005–06	2006–07	2007–08	2007–08 Queensland	Indigenous proportion
	Number				Per cent	Rate per 1000			Rate per 1000	Rate ratio
Indigenous children with notifications										
Under 1 year	377	552	651	2753	23.6	115.8	151.9	175.9	47.8	3.7
1–4 years	710	1083	1223	5684	21.5	50.3	77.0	85.6	25.6	3.3
5–9 years	794	1087	1178	6428	18.3	45.4	62.6	67.6	22.9	2.9
10–14 years	841	1036	942	5659	16.6	47.5	57.9	53.0	19.3	2.7
15–17 years	243	275	279	1668	16.7	25.4	28.4	27.7	9.3	3.0
Total^a	2965	4041	4294	22,333	19.2	47.7	64.5	67.9	21.6	3.1
Indigenous children with substantiations										
Under 1 year	213	260	287	1002	28.6	65.4	71.5	77.6	17.4	4.5
1–4 years	345	478	455	1748	26.0	24.4	34.0	31.8	7.9	4.0
5–9 years	353	469	452	2104	21.5	20.2	27.0	25.9	7.5	3.5
10–14 years	350	431	342	1959	17.5	19.8	24.1	19.2	6.7	2.9
15–17 years	88	98	85	507	16.8	9.2	10.1	8.4	2.8	3.0
Total^a	1349	1736	1622	7331	22.1	21.7	27.7	25.6	7.1	3.6
Indigenous children on protective orders at 30 June										
Under 1 year	69	na	86	252	34.1	21.1	na	23.2	4.4	5.3
1–4 years	416	na	577	1594	36.2	29.3	na	40.4	7.2	5.6
5–9 years	479	na	674	2014	33.5	27.5	na	38.7	7.2	5.4
10–14 years	464	na	597	2013	29.7	26.1	na	33.6	6.9	4.9
15–17 years	239	na	282	1167	24.2	24.5	na	28.0	6.5	4.3
Total	1667	na	2216	7040	31.5	26.7	na	35.0	6.8	5.1

Note: As an example of the data, Indigenous children aged 1–4 years had a protection order rate 5.6 times greater than Queensland children of the same age.

na Not available.

a. Totals include those children whose age was not recorded.

Source: Department of Child Safety, *Child Protection Queensland 2007–08*; AIHW, *Child Protection Australia*; ABS, *Population by Age and Sex*, cat. no. 3201.0

Aboriginal and Torres Strait Islander children and young people placed in alternative care

The number and rate of Aboriginal and Torres Strait Islander children and young people placed in alternative care are increasing with time. Almost one-third (31.3%) of children in alternative care at 30 June 2008 were Indigenous (Table 13.6). Indigenous children aged 1–4 years were 5.9 times more likely to be in alternative care than Queensland children aged 1–4 in general (42.0 and 7.2 per 1000 children respectively).

Aboriginal and Torres Strait Islander children and young people were living in all care placement types at higher rates than the Queensland average. In particular, Indigenous children were 5.6 times more likely to be living in kinship care than were Queensland children in general.

Table 13.6 Indigenous children placed in alternative care

	2006	2007	2008	2008 Queensland	Indigenous proportion
	Number				per cent
Indigenous children in alternative care at 30 June					
Under 1 year	64	na	93	285	32.6
1–4 years	409	na	600	1609	37.3
5–9 years	456	na	669	2025	33.0
10–14 years	408	na	539	1923	28.0
15–17 years	159	na	184	828	22.2
Total	1496	1749	2085	6670	31.3
Indigenous children in alternative care by type of placement at 30 June					
Foster care	938	986	1235	4038	30.6
Relative/kin	521	705	767	2246	34.1
Residential ^a	37	58	83	386	21.5
Total	1496	1749	2085	6670	31.3
	Rate per 1000			Rate per 1000	Rate ratio
Indigenous children in alternative care at 30 June					
Under 1 year	19.6	na	25.1	4.7	5.3
1–4 years	28.8	na	42.0	7.2	5.9
5–9 years	26.2	na	38.4	7.2	5.3
10–14 years	22.9	na	30.3	6.5	4.6
15–17 years	16.3	na	18.3	4.6	4.0
Total	24.0	27.9	33.0	6.4	4.8
Indigenous children in alternative care by type of placement at 30 June					
Foster care	15.0	15.7	19.5	3.9	5.0
Relative/kin	8.3	11.3	12.1	2.2	5.6
Residential ^a	0.6	0.9	1.3	0.4	3.5
Total	24.0	27.9	33.0	6.4	5.2

Note: As an example of the data, Indigenous children were 4.8 times more likely to be in alternative care than the Queensland average.

na Not available.

a. From 2006 onwards, includes children in Placement and Support Packages (PASP) placements with residential care services.

Source: Department of Child Safety (unpublished data); AIHW, *Child Protection Australia*; ABS, *Population by Age and Sex*, cat. no. 3201.0

Aboriginal and Torres Strait Islander young people in the youth justice system

Indigenous young people are over-represented in the youth justice system (Table 13.7). More than one-third (37.5%) of 10–16 year old defendants who were found or pleaded guilty in Queensland courts in 2007–08 were Indigenous. The proportion was somewhat lower for 17 year olds (17.0%), but was still an over-representation, given that less than 6% of the 17 year old Queensland population is Indigenous.

Aboriginal and Torres Strait Islander 10–16 year olds were found guilty or pleaded guilty at a rate 5.9 times the Queensland average for 10–16 year olds.

Almost two-thirds (63.8%) of young people in youth detention on 30 June 2007 were Indigenous. The Indigenous youth detention rate was almost ten times greater than the Queensland youth detention rate (313.5 and 32.3 per 100,000 respectively).

Table 13.7 Indigenous young people in the youth justice system

	2005–06	2006–07	2007–08	2007–08 Queensland	Indigenous proportion
	Number				per cent
Indigenous 10–16 year olds cautioned^{a, b}					
Total	3130	2996	2579	12,189	21.2
Indigenous 10–17 year old defendants found/pleaded guilty^a					
10–16 years ^b	2416	2368	2139	5699	37.5
17 years ^c	1138	1105	1130	6641	17.0
Total	3554	3473	3269	12,340	26.5
Year	2005	2006	2007	Qld 2007	
Indigenous 10–17 year olds in youth detention^d at 30 June					
Total	54	71	97	152	63.8
Indigenous 17 year olds in prison^e at 30 June					
Total	na	7	na	38	na
	Rate per 1000			Rate per 1000	Rate ratio
Indigenous 10–16 year olds cautioned^{a, b}					
Total	123.7	115.8	99.0	29.6	3.3
Indigenous 10–17 year old defendants found/pleaded guilty^a					
10–16 years ^b	95.5	91.5	82.1	13.9	5.9
17 years ^c	386.8	342.7	335.5	112.3	3.0
Total	125.8	119.4	111.2	26.2	4.2
Year	2005	2006	2007	Qld 2007	
Indigenous 10–17 year olds in youth detention^d at 30 June					
Total	188.1	237.0	313.5	32.3	9.7
Indigenous 17 year olds in prison^e at 30 June					
Total	na	11.8	na	64.3	na

Note: As an example of the data, 37.5% of 10–17 year old defendants who were found or pleaded guilty in Queensland in 2007–08 were Indigenous. Also, Indigenous 17 year olds were found or pleaded guilty at a rate 3.0 times higher than the Queensland average.

na Not available.

a. Offenders may be counted more than once if they committed more than one offence.

b. The *Juvenile Justice Act 1992* applies for offences committed by persons aged 10–16 years.

c. The *Criminal Code Act 1899* applies for offences committed by persons aged 17 years or older.

d. The *Juvenile Justice Act 1992* applies for offences committed by persons aged 10–16 years. Young people who are older than 16 years may be in youth detention if the offence was committed before they turned 17.

e. The *Criminal Code Act 1899* applies for offences committed by persons aged 17 years or older. Although 17 year olds may have a possible sentence of imprisonment, recent changes allow for 17 year olds to be placed in a detention centre.

Source: Department of Justice and Attorney-General (unpublished data); QPS, *Statistical Review*; ABS, *Population by Age and Sex*, cat. no. 3201.0; ABS, *Experimental Estimates and Projections, Aboriginal and Torres Strait Islander Australians, 1991 to 2009*, cat. no. 3238.0 (low series); Australian Institute of Criminology, *Juvenile in Detention in Australia: 1981–2007*.

Cape York Welfare Reform Trial

The Cape York Welfare Reform Trial is a partnership initiative between the Queensland and Australian Governments, the Cape York Institute for Policy and Leadership, and four Cape York Indigenous communities (Aurukun, Coen, Mossman Gorge and Hope Vale). The trial aims to improve the wellbeing of Indigenous children and families by encouraging social development and responsibility among the communities. The trial also aims to strengthen basic social norms and restore traditional cultural values.

The objective of the Family Responsibilities Commission (FRC), which forms a major part of the welfare reform trial, is to support the restoration of socially responsible standards of behaviour and of local authority, and to help resume primary responsibility for the wellbeing of their community and of the individuals and families who live there (Family Responsibilities Commission, 2009).

Community members who have breached one of four conditions are subject to FRC decisions that can include no action; reprimand; community service; or Centrelink income management for a specified period of time. Community members are referred to the FRC if:

- the person's child is absent from school for three full or part days of a school term without reasonable excuse, or where a child of compulsory school age is not enrolled to attend school (School Attendance Notice)
- the person is subject to a child safety notification or report (Child Safety Notices)
- the person is convicted of an offence by a Magistrates Court (Court Offence Notice), or
- the person breaches his or her public housing tenancy agreement (Tenancy Breach Notice).

FRC conferences have the option of referring community members to community support services. Therefore appropriate services need to be available in the communities, and suitable referral pathways need to be established. Family Income Management, Wellbeing Centres and Income Management services are established in the trial communities, and the FRC liaises regularly with Centrelink and the Australian Department of Families, Housing, Community Services and Indigenous Affairs to resolve problems with implementation.

The FRC began operating on 1 July 2008, after the appointment of 24 Local Commissioners (six in each community) to help conduct the conferences. The FRC conferences in each community consist of a panel of three members – the Family Responsibilities Commissioner and two Local Commissioners.

Up to 31 December 2008, the FRC had received 754 breach notifications relating to 437 community members. The notifications were for:

- 202 School Attendance Notices
- 223 Child Safety Notices
- 327 Court Offence Notices, and
- 2 Tenancy Breach Notices.

Table 13.8 shows the breach notifications issued and the number of conferences in each of the four trial communities. More than two-thirds (38%) of people with breach notifications in the first six months of the trial had multiple notifications.

Table 13.8 Family Responsibilities Commission notifications by community, July to December 2008

Notification type	Aurukun	Hope Vale	Coen	Mossman Gorge	Total
School Attendance Notice	85	98	9	10	202
Child Safety Notice	125	55	28	15	223
Court Offence Notice	170	106	22	29	327
Tenancy Breach Notice	0	1	1	0	2
Total	380	260	60	54	754
Number of conferences	109	111	23	49	292

Source: Family Responsibilities Commission, *Quarterly Report*

The Closing the Gap approach

The Australian Government, in partnership with the state and territory governments, has introduced a new approach to address Indigenous disadvantage – *Closing the Gap*. This approach aspires to give Indigenous Australians access to opportunities that allow for self-respect, independence and improved living standards, while maintaining a strong cultural identity and sense of community (Commonwealth of Australia, 2009a).

The *Closing the Gap* approach has six specific targets:

1. close the life expectancy gap within a generation
2. halve the gap in mortality rates for Indigenous children under 5 within a decade
3. ensure access to early childhood education for all Indigenous 4 year olds in remote communities within five years
4. halve the gap in reading, writing and numeracy achievements for children within a decade
5. halve the gap for Indigenous students in Year 12 attainment or equivalent attainment rates by 2020, and
6. halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade.

In February 2009, the Australian Government released the *Closing the Gap on Indigenous Disadvantage* report (Commonwealth of Australia, 2009a). This report details a range of baseline measures for the six targets that will

be used to assess progress annually by the COAG Reform Council. This necessitates an improvement in statistical collection services to reduce bias in existing measures because of under-identification of Indigenous status in general administrative data, and limited sampling of Indigenous people in general surveys.

To achieve the specific outcomes, COAG will be driving the development and implementation of coordinated strategies, policies and programs across Australia at the local, state and national level. Key partnerships that pertain to children and young people are:

- *National Partnerships on Indigenous Health Outcomes*
- *National Partnership on Indigenous Early Childhood Development*
- *National Partnership on Indigenous Economic Participation*, and
- *National Partnership on Remote Service Delivery*.

To achieve the desired outcomes of this approach, the Australian Government recognises the importance of harnessing support from the corporate and community sectors. For example, the newly founded Australian Indigenous Education Foundation (AIEF) has received \$20 million from the Australian Government to improve educational outcomes for young Aboriginal and Torres Strait Islander people, by providing scholarships for Indigenous students from rural and remote areas to attend boarding schools in major cities. The AIEF aims to match the money provided by the government by raising funds from the business sector, which would enable up to 2000 scholarships to be offered over the next two decades.

National Child Protection Framework

The Council of Australian Governments announced the National Child Protection Framework in April 2009. This approach to protecting Australia's children acknowledges the importance of maintaining connections with family, community and culture for Indigenous children in the child protection system. The framework, which runs from 2009 to 2020, envisions Indigenous children being supported and safe in their families and communities as one of six key outcomes (Commonwealth of Australia, 2009b). This would be achieved through a series of coordinated action plans implemented across communities, families, non-government organisations, and local, state and Commonwealth governments.

Some of the specific strategies that are planned or already under way under the framework are:

- expanding access to Indigenous and mainstream services for families and children
- promoting the development of safe and strong Indigenous communities, and
- ensuring that Indigenous children received culturally appropriate protection services and care.