



Inquiry into Annual and Financial Reports 2023–2024

Answer to question on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Minister for Aboriginal and Torres Strait Islander Affairs

Redirected to: Aboriginal and Torres Strait Islander Children and Young People Commissioner

Reference: Aboriginal and Torres Strait Islander Children

Hearing: 19/02/2025

In relation to: Aboriginal and Torres Strait Islander Children and Young People Commissioner

Question received: 25/02/2025

Answer Due: 10/03/2025

- How many times have you visited Narrabundah House?
- What services, similar to Narrabundah House, are available for First Nations girls in the ACT?
- What work are you doing to engage with First Nations girls and their specific needs, and who are you working with to address these needs?
- What is the uptake of therapeutic corrections orders, introduced in early 2024, for First Nations young people? What work are you doing to monitor their effectiveness?
- Are the alleged sex trafficking perpetrators ACT residents or from other jurisdictions?
- How were you alerted to sex trafficking concerns in the ACT and when?
- What engagement have you undertaken with the local First Nations community to alert them to risks of sex trafficking?

Vanessa Turnbull-Roberts, Aboriginal and Torres Strait Islander Children and Young People Commissioner: The answer to the Member's question is as follows:

My office has visited Narrabundah House on at least one occasion and we have spoken with a number of young people in Bimberi who have resided at Narrabundah House. In recent weeks my office has contacted Narrabundah House to arrange another visit but have been informed that there are no Aboriginal or Torres Strait Islander young people residing there.

The question of services similar to Narrabundah House for First Nations girls in the ACT could best be answered by the Community Services Directorate who are responsible for these services. I am not aware of any residential accommodation service specifically for First Nations girls involved in the youth justice system. First Nations girls in the care of the Director General may be placed in

mainstream residential out of home care facilities where kinship or other placements are not available or appropriate.

My office has provided individual advocacy for several First Nations girls who have been in the care of the Director General and who have subsequently become involved in the youth justice system. We attend care team meetings and visit them if they are in Bimberi and also support them in bail and sentencing proceedings. Our advocacy for these young women has been particularly focused on encouraging the Director-General to undertake further family finding and family group conferencing to identify and proactively support opportunities for kinship placements, which are more culturally appropriate and have better outcomes than placements in residential out of home care or youth prison.

At a systemic level my office continues to raise concerns with the Director-General about the pipeline from child protection to incarceration in youth prison, and to advocate for greater support for birth families and kinship care placements, as well as alternative programs such as a therapeutic rehabilitation facility on country developed and run by Aboriginal Community Controlled Organisations.

I am not aware of any therapeutic corrections orders having yet been made in relation to Aboriginal and Torres Strait Islander children or young people. However, this data would be best sought from the ACT Courts. In our experience young people may be held at Bimberi for significant cumulative periods on remand before sentencing occurs, and these periods in custody are then taken into account on sentence. This can mean that these young people miss out on therapeutic programs aimed at their rehabilitation, as such programs are generally only commenced after sentencing. We note that the overwhelming majority of young people at Bimberi are there on remand rather than serving a sentence.

We consider that there are opportunities for the exploration of intensive therapeutic orders (as opposed to therapeutic corrections orders) for young people who are placing themselves or others at significant risk and require a structured therapeutic plan to assist in their rehabilitation. Such orders need not include a confinement provision. To our knowledge no intensive therapeutic orders have yet been sought by the Director-General in relation to Aboriginal or Torres Strait Islander children or young people.

In relation to the concerns I have raised about young people in care being subject to sexual exploitation and trafficking, I am aware of situations where perpetrators are in the ACT and also situations where young people have been encouraged to travel interstate by adults who are exploiting them.

I have been alerted to these concerns through the work of my office in providing individual advocacy for Aboriginal and Torres Strait Islander children and young people.

I have raised these issues in community roundtables and other forums, but note that my concerns about sexual exploitation and trafficking relate to the particular risk faced by vulnerable young people in the care of the Director-General who are placed in residential out of home care. It is a risk that must be addressed by the Director-General and ACT Policing, and is not within the control of the ACT Aboriginal and Torres Strait Islander community.

OFFICIAL

I have had regular engagement on this issue with senior police with responsibilities relating to sexual violence and vulnerable people and with the Chief Commissioner of ACT Policing. I will continue to develop collaborative relationships that tackle child sexual abuse and response to vulnerable children and young people in the ACT.

Approved for circulation to the Standing Committee on Legal Affairs

Signature:

Vanessa Turnbull-Roberts

Date: 10 April 2025

By the Aboriginal and Torres Strait Islander Children and Young People Commissioner