

VALS Position Statement: The *Children, Youth and Families (Supporting Stable and Strong Families) Bill 2025*



Introduction

The following sets out the Victorian Aboriginal Legal Service's (VALS) position on the [Children, Youth and Families \(Supporting Stable and Strong Families\) Bill 2025](#), which is modelled on Scotland's 'Corporate Parenting' approach. It draws on research, consultation with other organisations working in this space, and our own work with clients.

The severe injustices experienced by Aboriginal families who are targeted by the child protection system means that piecemeal reforms, even when well-intended, are inadequate for addressing the harms perpetrated at every level of the system. For this reason, VALS has consistently called for transformative change to the system and proper recognition of the right to self-determination in relation to the care of Aboriginal children.

VALS' Position on the Bill

Our position is that the Bill will not lead to the transformative change that is required to improve outcomes for Aboriginal children and families in contact with the child protection system. In our view, what is being proposed is unlikely to lead to substantial reforms to the child protection system, nor improvements in how the state responds to the needs of Aboriginal children and families.

Our main concern is what is being proposed in the Bill distracts from transformational, community-led reform that is driven by Aboriginal people and communities. There are already a series of reports and inquiries which set out a comprehensive blueprint for reforming the child protection system, including the Yoorrook for Justice [report](#) and successive [inquiries](#) by the Commission for Children and Young People. We urge the Victorian Government to act immediately upon these recommendations.

VALS' Proposed Amendments

Legislative amendments sought on the Bill

1. Amend Section 20 I(d) to strengthen requirements on SSSF scheme partners to comply with the Recognition Principles and the rights of Aboriginal children and families:
 - a. Amend Section 20 I(d)(i) to "*SSSF partners must demonstrate compliance with the Statement of Recognition Principles, as well as any and all efforts to strengthen compliance with Section 7E of the CYFA 2005.*"



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- b. Amend Section 20 I(d)(ii) to "*SSSF partners must actively enable the right of Aboriginal children to develop and maintain a connection with their family, community, culture, Country and language.*"
2. Insert a provision within Section 20 K which requires that SSSF partners consult with the First People's Assembly of Victoria and the Aboriginal Children's Commissioner as part of the process of preparing an SSSF plan.
3. Insert a provision within Section 20 O which requires that the SSSF Progress Report include an assessment from the First People's Assembly of Victoria and the Aboriginal Children's Commissioner of whether the SSSF is meeting their responsibilities in relation to Aboriginal children and families.

Other commitments sought

4. The Victorian Government must support the immediate passage of the *Children, Youth and Families Amendment (Stability) Bill 2025* and bring it to the Legislative Council for a vote.
5. The Victorian Government must immediately begin the process of implementing recommendations made by the Yoorrook Justice Commission and the CCYP in relation to Child Protection.
6. The Victorian Government must commit to funding the Child Protection Notification and Referral Scheme model as agreed upon by VALS and Djirra, and expand beyond unborn reports.

Overview of the Bill

In December 2025, the government announced the introduction of the Corporate Parenting framework. The Corporate Parenting model, which originated in Scotland, establishes a whole-of-government obligation in relation to the rights and wellbeing of children and young people, and is now in operation across the United Kingdom (UK). In Scotland, the *Children and Young People (Scotland) Act 2014* identifies a number of public bodies, such as schools, police, and the healthcare system, as 'Corporate Parents' who have specific responsibilities to care for children residing in out-of-home care as a good parent would.¹ Implementation of the Corporate Parenting has had mixed results,

¹ Lyn Hatch, [The Influence of Organisational Culture on Decision-Making and Corporate Parenting](#) (2021)



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and has been described as a “complex jigsaw, bringing together local, regional and national services.”²

According to the government, the *Children, Youth and Families Amendment Bill 2025* will “create a legislative framework to improve collaboration across government and...incorporates shared responsibilities across the Victorian Government to enhance service access and support earlier intervention for children, young people and families at risk of, or already involved with, Child Protection.”³ The proposed legislation develops a Supporting Safe and Stable Families (SSSF) scheme. Under the scheme, Ministers, departmental heads, and the Chief Commissioner of Victoria Police will become an SSSF partner, holding a series of responsibilities in relation to children and families involved in child protection, including care leavers. The specific responsibilities of SSSF partners include:

- to deliver or facilitate access to services that meet the needs of children (and their parents and/or caregivers)
- to promote decisions and actions that prioritise the best interests of children and care leavers; and
- to monitor and report on the effectiveness of services provided to children and care leavers.

Additionally, in relation to Aboriginal children and families, each SSSF partner will be required to:

- “have regard to and apply” the Statement of Recognition Principles set out in Section 7E of the CYFA 2005; and
- “recognise and support” the cultural identity of those persons.

SSSF partners will be required to develop a plan every two years detailing the specific actions they intend on taking to meet their responsibilities toward children and families. These plans will be tabled in Parliament, as will progress reports at the conclusion of each plan.

² Jo Dixon, Jenny Stein, et al., [Corporate Parenting for Young People in Care](#) (2015), P. 4

³ Ben Carroll, [Children, Youth and Families Amendment Bill 2025 Second Reading](#) (2025)



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Key Issues with the Bill

1. The process of consultation was inadequate.

The Victorian Government's approach to introducing this reform has been problematic and inconsistent with real respect for self-determination. **The government did not seek feedback from VALS on the Bill, or more broadly advice on how the SSSF scheme might best meet the needs of Aboriginal children and families.** Based on the government's statements, it appears that they did consult with members of the Aboriginal Children's Forum (ACF).⁴ While VALS considers consultation with ACCO members of the ACF to be critical, this should be regarded as the minimum threshold in terms of consultation. ACCOs outside of the ACF should also be a crucial source of advice, given that we bring both a different perspective and a different set of expertise.

2. There is a lack of evidence supporting the effectiveness of the 'Corporate Parenting' model and it detracts from the pursuit of urgent priority reforms.

The government has indicated that the SSSF scheme is modelled off Scotland's "successful Corporate Parenting approach".⁵ However, there is limited evidence demonstrating its effectiveness as a framework for improving outcomes for children and families. According to the Children and Young People's Commissioner of Scotland, there remains a lack of early intervention and effective family support services, and significant issues in terms of access to services and insufficient funding persist, despite the framework being in place.⁶

We also question the logic of importing a framework from overseas to address shortcomings in the operation of the child protection system, when there are already several important reports offering detailed recommendations on how to improve the system. For example, the findings of the Yoorrook Justice Commission's 2023 *Yoorrook for Justice: Report into Victoria's Child Protection and Criminal Justice Systems*. The Commission's work set out comprehensive recommendations for improving outcomes

⁴ Victoria, *Parliamentary Debates*, [Legislative Assembly](#), December 12 2025, p. 5369.

⁵ Premier of Victoria, [Reforms to Keep Children Safe and Strong](#) (Media Release, 2025).

⁶ Children and Young People's Commission of Scotland, [Submission to United Nations Committee on the Rights of the Child: Children's Rights and Alternative Care](#) (2021), p 3



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for Aboriginal children and families in contact with the child protection system, that would align with the reform intentions of this Bill.

We query the Victorian Government’s decision to introduce this Bill when there are ongoing delays in the passage of the *Children, Youth and Families Amendment (Stability) Bill 2025* (the ‘Stability Bill’). The Stability Bill, when passed, will address longstanding injustices in how the state conceptualises stability and familial connection for Aboriginal children. The permanency amendments, placed significant restrictions on reunification for children in care.

Whilst the mandatory considerations and the strict timeframes were intended to encourage intensive efforts to find a solution within the first twelve months of a child being removed, this has not occurred in practice due to under-resourcing. Instead, the timeframes mean that “some children may be placed permanently outside of their birth family when this is not in their best interests.”⁷ VALS and other key stakeholders have long advocated for the repeal of the permanency amendments, and a greater focus on a more holistic conception of stability which recognises that the right of Aboriginal children to grow up within their family, community and Country is one of its core components.

The Stability Bill, which is currently before Parliament, extends the timeframe for reunification to 24 months. While VALS, alongside Djirra and other key stakeholders, have consistently called for the removal of all timeframes so that the Children’s Court can base its decisions squarely on a child’s best interests, we believe that the Stability Bill is a step in the right direction. We urge the Victorian Government to stop delaying the passage of this Bill.

3. The SSSF scheme is unlikely to support earlier intervention for Aboriginal children and families involved with the child protection system

The most important consideration for VALS is the degree to which the SSSF scheme will improve outcomes for Aboriginal children and families. In VALS’ experience, there is uncertainty and reluctance amongst Aboriginal families about the services available them, as well as how to access services and whether they can do so safely. This can lead to families not receiving the support they are entitled to receive, resulting in unnecessary contact with the statutory child protection system.

⁷ Commission for Children and Young People (2017), ‘...safe and wanted...’: Inquiry into the implementation of the Children Youth and Families Amendment (Permanent Care and Other Matters) Act 2014, p18



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VALS is, in-principle, supportive of efforts to strengthen access to services that help prevent removal. However, the degree to which the SSSF scheme will achieve this outcome is highly questionable because there is no accompanying resourcing to support its activities. The Yoorrook Justice Commission found that major investments in Aboriginal-led front-end services are needed to address the overrepresentation of Aboriginal children in child protection. Therefore, in its current form, the SSSF scheme will do little to address this major barrier to service access for Aboriginal families. If the government is serious about supporting earlier interventions with children and families, it should implement recommendation 8(b) of the Yoorrook for Justice report and “substantially increase investment in [ACCO] early help/intervention services”.⁸

Another concern for VALS is that implementation of the SSSF scheme might delay progress on reforms that are more likely to lead to tangible improvements in access to early intervention supports for Aboriginal families. A key example of this is the Child Protection Notification and Referral Scheme (CPNRS), which would require which would require automatic notifications of reports to legal services, including referrals of Aboriginal mothers and non-Aboriginal mothers of Aboriginal children to Djirra, and VALS for the other parent/carer and child as appropriate, with all such referrals including those to mainstream legal services, being reflective of parental choice. Both VALS and Djirra are already receiving unborn notifications, and we are providing wrap around holistic support to address the protective concern matters so children can remain with their parents. We are ready to receive CPNRS referrals in relation to all notifications concerning Aboriginal parents and non-Aboriginal parents of Aboriginal children. There needs to be adequate resourcing allocated to develop a model and practice directions implemented so all Child Protection practitioners follow best practice and Aboriginal parents get access to legal assistance early.

4. The provisions related to Aboriginal children are vague and it is not clear if or how Aboriginal expertise will be considered in assessing compliance.

One of the most potentially impactful parts of the Bill is section 10 D(i), which requires that SSSF partners have “regard to and apply the recognition principles” contained in section 7 E of the CYFA 2005. The purpose of these principles is to guide decision-making in relation to Aboriginal children, emphasising the right of self-determination; for Aboriginal people to be involved in decision-making in relation to Aboriginal children,

⁸ Yoorrook Justice Commission, *Yoorrook for Justice Report* (2023), p 29



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and the duty of decision-makers to uphold the cultural rights of Aboriginal children. The SSSF scheme would recognise that all Ministers, departments heads, and the Chief Commissioner of Victoria Police have a responsibility for enacting these principles when fulfilling their duties.

The Bill does not propose any accountability measures, outside of the requirement to table SSSF plans and reviews in Parliament. It is therefore unclear how SSSF partner duties will be monitored in a substantive manner, and no enforcement mechanisms exist in cases where a partner is found to not be meeting their responsibilities. Because of this, we are unconvinced that the Bill will lead to the application of the recognition principles across the Victorian Government.

In recommending that that the Victorian Government transfer decision-making power and authority over child protection matters to Aboriginal people, the Yoorrook Justice Commission included “accountability and oversight functions” of the system.⁹ With the passage of the statewide Treaty into law in November 2025, there is now a pathway in place to realise this through Gellung Warl. For this reason, VALS believes that a requirement to consult the First Peoples’ Assembly of Victoria, as well as the Commissioner for Aboriginal Children and Young People, must be included in the Bill.

5. The SSSF partner responsibilities are likely to become a tick-the-box exercise for departments.

Section 20D (2) stipulates that “the primary functions, duties and powers of a person prevail” over the functions of that person as an SSSF partner. Our view is that this provision will greatly limit any potential effectiveness of the SSSF scheme by allowing practices which conflict with SSSF responsibilities to continue as usual. We question the government’s commitments to the principles adopted in the SSSF scheme, including that it will “promote decisions and actions that prioritise the best interests of children and care leavers”; when over the past year it has passed legislation which the government itself acknowledges contravene the rights of children. For example, in enacting the “adult time for violent crimes” laws in December 2025, the government stated that “these measures constitute significant limits on the fundamental rights of children who are by their nature a vulnerable cohort”.¹⁰ Therefore, the government’s

⁹ Yoorrook Justice Commission, [Yoorrook for Justice: Report into Victoria’s Child Protection and Criminal Justice Systems](#) (2023), p 26.

¹⁰ Victorian Government, [Justice Legislation Amendment \(Community Safety\) Bill 2025 Statement of Compatibility](#), 04 December 2025



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policy choices will place significant limitations on the capacity of individual SSSF partners to comply with the SSSF scheme.

Furthermore, there are no clear levers for the SSSF principles to inform decision-making at the individual, specific case level, nor does it embed specific principles for ensuring coordination amongst SSSF partners. VALS' view is that we will see a similar lack of follow-through or implementation as we have seen with the Framework to Reduce Criminalisation of Young People in Residential Care. The Framework is a positive document which establishes principles for avoiding criminalisation of children in care. Its implementation, however, has been severely lacking. VALS continues to see children being policed and charged because their behaviour in residential care is criminalised. In our view, this is occurring because the Framework is treated as a long-term planning document, rather than as establishing standards that police and care providers must meet. Our concern is that the SSSF scheme will face a similar problem.

