

# Aboriginal Child Placement Principle

1983 –

**Other Names:**

- Aboriginal and Torres Strait Islander Child Placement Principle
- ACP

## Details

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The Aboriginal Child Placement Principle (ACPP) was developed in the early 1980s and was incorporated into adoption and child protection legislation from 1983 onwards. In 2009 it was renamed the Aboriginal and Torres Strait Islander Child Placement Principle. The Principle is intended to guide child protection services to strengthen Aboriginal children's connections with their family, community and cultural identity and recognise their right to their own heritage, customs, community and institutions. The Principle outlines a preference that, if Aboriginal children are to be placed outside their families, they should be with other Aboriginal people. The order of preference is generally that an Aboriginal child be placed within the child's extended family; within the child's Aboriginal community; and, failing that, with other Aboriginal people.

The Aboriginal and Torres Strait Islander Child Placement Principle grew from a grassroots community movement initiated by Aboriginal and Islander Child Care Agencies (AICCAs) during the 1970s. AICCAs strongly advocated for the best interests of Aboriginal and Torres Strait Islander children, and aimed to abolish the harsh practices and policies of forced removal. (CFCA, 2015)

The Principle promotes a hierarchy of placement options as outlined below:

- Removal of any Aboriginal child must be a last resort
- If, after consultation with a community controlled Aboriginal welfare organisation, removal of a child from its family is unavoidable then the authorities must have regard to the direction of the Aboriginal welfare organisation
- If such a removal is necessary, then the child must be placed within the extended family, or if this is not possible, the child may be placed within the Aboriginal community within close proximity to the child's natural family
- If there is not an Aboriginal placement available, then in consultation with Aboriginal and Islander Child Care Agencies (AICCAs), the child may be placed with a non-Aboriginal family on the assurance that the child's culture, identity and contact with the Aboriginal community are maintained.

Northern Territory was the first jurisdiction to incorporate the Aboriginal Child Placement Principle into its welfare legislation in 1983. The Principle was incorporated into the NT Community Welfare Act 1983 and subsequently in the Adoption of Children Act 1994.

The ACP became part of New South Wales law with the Children (Care and Protection) Act 1987, the Community Welfare Act 1987 and the Adoption Information Act 1990.

It became the official policy of the South Australian Department of Community Welfare in 1983 and was incorporated into South Australian legislation with the Adoption Act 1988 and the Children's Protection Act 1993.

Victoria passed the Children and Young Persons Act 1989 incorporating the Principle. Queensland passed the Child Protection Act 1999 and the Australian Capital Territory had the Children and Young People Act of 1999.

In Tasmania, Section 9 of the 1997 Children, Young Persons and their Families Act follows the principle of Aboriginal Child Placement Principle.

In Western Australia, the ACPP was ratified by the Department for Community Services in October 1985. From that time, Aboriginal children in Western Australia could not be placed with non-Aboriginal carers without the approval of the Director General. The Children and Community Services Act 2004 enshrined Aboriginal and Torres Strait Islander Child Placement Principles in WA legislation.

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## More info

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### Related Entries

#### Related Events

- [Apology for Forced Adoption Practices, Parliament of New South Wales \(29 September 2012\)](#)
- [National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, Human Rights and Equal Opportunity Commission \(1995 - 1997\)](#)

#### Related Legislation

- [Adoption Act 1993, Australian Capital Territory \(1993 - current\)](#)
- [Children and Young People Act 1999, Australian Capital Territory \(1999 - 2009\)](#)
- [Adoption Act 2000, New South Wales \(2000 - current\)](#)
- [Children and Young Persons \(Care and Protection\) Act 1998, New South Wales \(1998 - current\)](#)
- [Child Protection Act 1999, Queensland \(1999 - current\)](#)
- [Adoption Act 1988, South Australia \(1989 - current\)](#)
- [Children's Protection Act 1993, South Australia \(1994 - 2017\)](#)
- [Community Welfare Act 1983, Northern Territory \(1984 - 2008\)](#)
- [Adoption of Children Act 1994, Northern Territory \(1994 - current\)](#)

The Adoption of Children Act 1994 included the Aboriginal Child Placement Principle.

- [Children and Community Services Act 2004, Western Australia \(2004 - current\)](#)
- [Children and Young Persons Act 1989, Victoria \(1991 - 2007\)](#)
- [Children \(Care and Protection\) Act 1987, New South Wales \(1987 - 2010\)](#)

#### Related Organisations

- [Cowra ACS \(1975 - 2008?\)](#)
- [Wagga Wagga ACS \(1975 - current\)](#)
- [Hunter ACS \(1984 - c. 2013\)](#)
- [Koolyangarra Fostering Agency \(Nowra\) \(1980? - 2008\)](#)
- [Great Lakes/Manning ACS \(1975 - current\)](#)
- [Coomealla Youth Development Aboriginal Corporation \(1984 - 1998?\)](#)
- [Nunya Aboriginal Foster Care Support \(1988 - current\)](#)
- [Aboriginal Child, Family and Community Care State Secretariat \(NSW\) Inc](#)
- [Department for Community Welfare, State Government of Tasmania \(1983 - 1989\)](#)
- [Yorganop Association Incorporated \(1986 - current\)](#)
- [Department of Community and Health Services, State of Tasmania \(1993 - 1998\)](#)
- [Victorian Aboriginal Child Care Agency Co-operative Limited \(1977 - current\)](#)
- [Department of Health and Human Services, State of Tasmania \(1998 - 2018\)](#)
- [Department of Communities Tasmania \(2018 - 2022\)](#)
- [New South Wales Aboriginal Children's Services \(1975 - current\)](#)

#### Amends

- [Children, Young Persons and Their Families Act 1997, Tasmania \(2000 - current\)](#)

## Resources

- Law Reform Commission New South Wales, *Research Report 7 (1997) - The Aboriginal Child Placement Principle*, 1997
  - Law Reform Commission New South Wales, [Report 81 \(1997\) - Review of the Adoption of Children Act 1965 \(NSW\)](#), 1997
  - Jarvis, Di, [Being black and together - that's beautiful](#), The Australian Women's Weekly, 25 May 1977
  - Arney, F, Iannos, M, Chong, A, McDougall S & Parkinson, S, [Enhancing the implementation of the Aboriginal and Torres Strait Islander Child Placement Principle: Policy and practice considerations \(CFCA Paper No 34\)](#), August 2015
  - [Keith Maine interviewed by John Bannister in the Bringing them home oral history project \(1999\)](#), 31 March 1999
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