

Aboriginal Applicants and the Working With Children Check



Policy statement

The OCG acknowledges the ongoing impacts of dispossession, colonisation and systemic racism on First Nations people and communities and the over representation of First Nations people in the criminal justice system.

The ongoing colonisation and dispossession of Aboriginal land has significant consequences on First Nations people and communities. It is the foundation of social and economic disadvantage. Social and economic disadvantage – and their related impacts – is a key driver of crime.

The OCG's daily operations can directly impact, positively or negatively, on the delivery of broader public policy aims. These broader policy considerations include the OCG's vision for reconciliation, which is that First Nations people will be restored to a place of equity, dignity and respect, as outlined in our Reconciliation Statement and supported through our Reconciliation Action Plan.

The OCG also recognises the broader policy landscape including the NSW Government's commitment to keep First Nations children safe within their families and communities, evidenced legislatively in the Aboriginal Child Placement Principles; and the implementation and success of the NSW Government's Opportunity, Choice, Healing, Responsibility, Empowerment Plan. At the national level, Closing the Gap has cemented the Government's recognition of the importance of taking a more holistic approach involving agencies from across government to develop policies and deliver services to First Nations people and communities.

In discharging our legislative obligations and exercising our functions, the OCG acknowledges that our service delivery and decision-making can influence the achievement or otherwise of these broader public policy goals. The OCG will work to ensure that its processes and decisions are informed by evidence and research into the impacts of colonisation and dispossession and Aboriginal offending. We will be responsive, respectful, flexible, fair and inclusive when delivering services to First Nations people and making decisions that affect their lives.



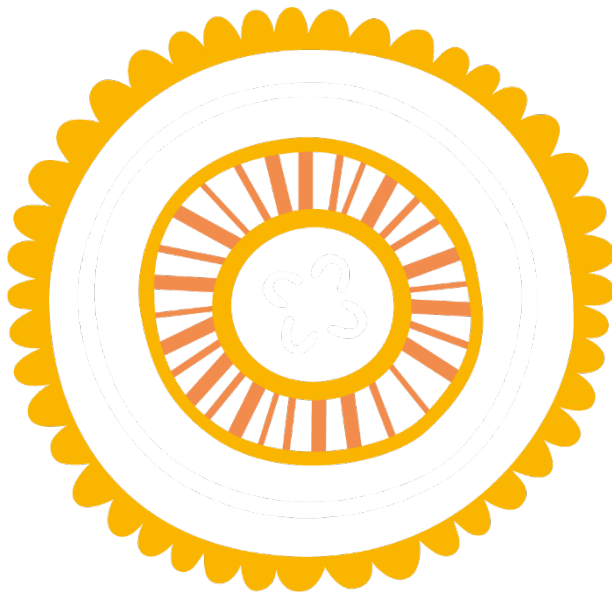
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To achieve this, WWCC risk assessment and decision-making processes will consider the ongoing impacts of colonisation and dispossession and the reasons for offending and re-offending. This will be balanced with the need to prioritise the safety of children when making decisions about the granting or refusal of a WWCC, which is our paramount consideration.

Risk factors are those characteristics which suggest an individual is more likely to re-offend. Examples are substance abuse or emotional instability. Protective factors are those that decrease the likelihood of re-offending such as family and peer support, and employment and education. Risk and protective factors that are more predictive of offending and re-offending will be given greater weight, both generally and for First Nations applicants.

Some risk and protective factors are specific to First Nations people and communities. For example, considering the context outlined above, a shorter crime free period may be considered protective for Aboriginal applicants in comparison to non-Aboriginal applicants. These factors will be specifically identified, considered and given appropriate weight.



The OCG acknowledges alcohol misuse is a significant predictor for Aboriginal offending. However, reduction in its use and acknowledgement of its misuse through participation in programs will be considered protective for First Nation offenders and given appropriate weight.

The OCG acknowledges that employment opportunities can be significantly protective for First Nations people and can build resilience and strength. Cultural strength and family and community bonds are significant protective factors for Aboriginal offenders and will be considered.

Other factors, including gender, age, illicit drug use, education, the

normalisation of violence and economic stress, will also be considered in WWCC risk assessment and decision-making processes, as necessary.

The OCG is committed to continually reviewing and updating its processes and practices for Aboriginal applicants to limit any real or perceived structural disadvantage.

Artwork by Charmaine Mumbulla, Mumbulla Creative