

2024-2025

ANNUAL REPORT



100 Cultural
Recognition
Orders
Granted

Meriba Omasker Kaziw Kazipa
**FOR OUR CHILDREN'S
CHILDREN**



We envision a future where all Torres Strait Islander families feel valued and empowered to raise their children in a way that reflects their cultural identity.

This Annual Report details the administration of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020 (Qld)* and summarises operation of the Office and its financial and corporate performance for the period 1 July 2024 to 30 June 2025 in an open and transparent manner to inform the Minister for Women and Women's Economic Security, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Multiculturalism, and members of the public.

Public availability of report

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Contact details:

Mail: PO Box 7576, Cairns, Queensland 4870

Telephone: 1800 571 102

Website: www.ockmokk.qld.gov.au

Email: office@ockmokk.qld.gov.au

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Interpreter Service statement

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Torres Strait Islander and Aboriginal peoples should be aware that this publication may contain images or names of people who have since passed away. The Commission respects the right of families and communities to request the removal from subsequent publications of any image or name that causes distress.



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Report Snapshot

This process is life changing for Torres Strait Islander families and their children.

As at 30 June 2025, 101 Cultural Recognition Orders had been granted under the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, comprising 88 child applications and 13 adult (retrospective) applications. Seventeen required court proceedings for dispensation of consent. More than 606 individuals have directly benefited from these orders, with a further 400 people receiving active support from four Cultural Support Officers through enquiries and applications.

Cultural Recognition Orders play a significant role in advancing the Closing the Gap targets by addressing barriers linked to lack of accurate identification. These barriers include difficulties in school enrolment, accessing health services, applying for legal documents, securing housing, and obtaining government entitlements such as childcare subsidies and study or parenting payments.

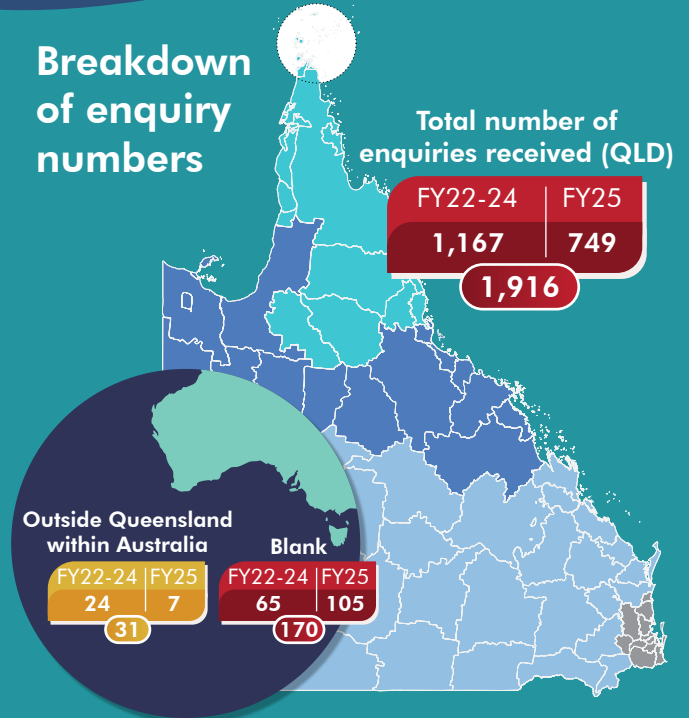
By ensuring that birth certificates and identification reflect cultural parentage, Cultural Recognition Orders enable access to education, employment, housing, and healthcare services. This supports both direct outcomes – such as meeting employment and education requirements – and indirect outcomes, including enabling cultural parents to participate in the workforce.

Cultural Recognition Orders contribute to Closing the Gap targets in health (1, 2), education (3–7), employment (7, 8), housing (9), and cultural identity (16), while affirming Torres Strait Islander child-rearing practices and strengthening kinship, belonging, and community wellbeing.

The Benefits

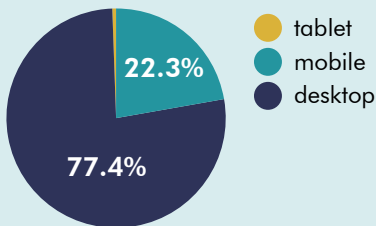
- Cultural parents and their child/children are not unduly exposed to inappropriate disclosure that the practice has occurred and any associated trauma or grief is avoidable.
- Cultural parents and their child/children can be legally enrolled/registered with authentic identification documents.
- Cultural parents assurance that their child/children are legally recognised with all the same rights as a biological child/children.
- A Cultural Recognition Order enable cultural parents to make legal decisions about their child, enabling access for the family and the child to education, health, legal identity documents, financial entitlements, and inheritance.

Breakdown of enquiry numbers

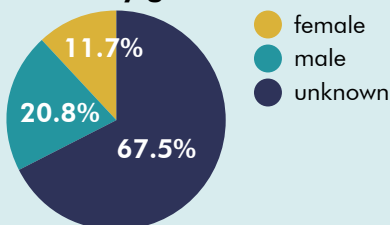


Website and Marketing Statistics

Visitor devices

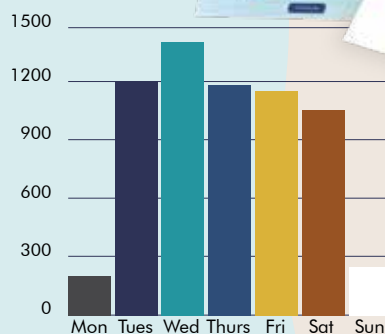


Visitor by gender



Website Launch

Visitor views



Cultural Acknowledgement

The Office of the Commissioner (Meriba Omasker Kaziw Kazipa) (The Office) acknowledges we are visitors to the country and oceans we travel across and work in.

The Office pays respects to the Traditional Owners, Elders and teachers of these lands, waters and seas; to those of the past whose unseen hands guide the actions and decisions of the Commissioner today; to those of the present working for their communities setting the example for the next generation; and to those of the future, the Elders not yet born who will inherit the legacy of our efforts.



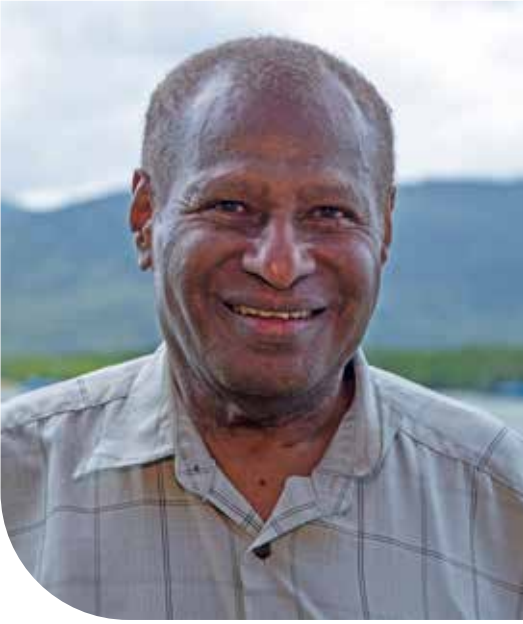
Our Vision

Our vision is to lead the way in recognising and honouring Torres Strait Islander traditional child-rearing practices, building a culturally competent service that embraces cultural diversity, and continually enhancing and improving established processes.

We envision a future where all Torres Strait Islander families feel valued and empowered to raise their children in a way that reflects their cultural identity, where our Office is recognised as a model of excellence in cultural competency, and where we are relentlessly committed to continuous improvement, innovation, and learning to better serve our community.

Through our work, we seek to support and celebrate the unique strengths and resilience of Torres Strait Islander families while advancing equity, social justice, and positive outcomes for all we serve.

Tribute to Dana Yestin Ober



A Tribute to Dana Yestin Ober: A Legacy of Advocacy, Leadership, and Cultural Preservation

The Office of the Commissioner (Meriba Omasker Kaziw Kazipa) and the Meriba Omasker Kaziw Kazipa Advisory Group come together to honour the life and legacy of an extraordinary Torres Strait Islander man, Dana Yestin Ober (1952–2025).

Dana’s profound influence, tireless advocacy, and dedication to his people, culture, and community have left a lasting imprint on the Torres Strait Islands and beyond. His work as an integral member of the Kupai Omasker Working Party stands as a testament to his commitment to securing legal recognition for Ailan Kastom child-rearing practices, an effort that has paved the way for future generations to thrive.

Born on 20 January 1952 and past away peacefully on the 24th March 2025, Dana’s life was defined by a steadfast dedication to the betterment of Aboriginal and Torres Strait Islander communities. For over two decades, he worked in both State and Commonwealth Government roles, advocating for Indigenous rights and amplifying the voices of those who too often went unheard. Dana’s career was marked by a deep commitment to both policy and education, and he worked across various sectors to improve the lives of Torres Strait Islanders and Aboriginal people.

Dana’s work with the Kupai Omasker Working Party was pivotal in the historic passing of legislation that granted legal recognition to Ailan Kastom child-rearing practices in Queensland. This achievement was the result of over three decades of tireless effort, collaboration, and advocacy. Dana was a critical part of a formidable group of advocates who pushed for recognition of cultural practices that have been critical to Torres Strait Islander communities for generations. His efforts not only honoured the traditions of his people but also ensured that these cultural practices would be protected by law, securing a legacy for our children’s children.

Beyond his work on the Kupai Omasker Working Party, Dana was a steadfast advocate for the preservation and promotion of Torres Strait language and culture. Throughout his career, he served on various boards and committees, including the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) board and FATSIL now First Languages Australia. His contributions to the development of language policy for Queensland, alongside his work in setting up a language program at Tagai State College in the Torres Strait, further solidified his commitment to cultural preservation. Dana understood the power of language as a vehicle for cultural identity and sought to ensure that language programs were accessible to future generations, empowering young people to carry on the traditions of their ancestors.

Dana’s work extended beyond his professional life. He was a mentor and leader to many, providing guidance and support to those who followed in his footsteps. His vision for a brighter future for Torres Strait Islander communities was built on a foundation of cultural pride, resilience, and a deep love for his people. Dana’s leadership was defined not by titles, but by his unwavering dedication to creating a space where the voices of Torres Strait Islanders could be heard, their rights respected, and their culture celebrated.

As we remember Dana, we honour a man whose legacy will continue to resonate for years to come. His tireless advocacy, his commitment to cultural preservation, and his dedication to the Torres Strait Islander community will serve as a beacon of hope and inspiration for future generations. Though he may no longer be with us in person, Dana’s spirit lives on through the enduring impact of his work, and his legacy will continue to inspire those who follow in his footsteps. May we carry forward his vision, his passion, and his commitment to justice, ensuring that the traditions of the Torres Strait Islands remain protected and celebrated for generations to come.



Letter of Transmittal

The Honourable Fiona Simpson MP
Minister for Women and Women's Economic Security |
Minister for Aboriginal and Torres Strait Islander
Partnerships | Minister for Multiculturalism

PO Box 15397
CITY EAST QLD 4002
watsipm@ministerial.qld.gov.au

Dear Minister Simpson,

ANNUAL REPORT

I am pleased to present our 2024 – 2025 Annual Report of the Office of the Commissioner Meriba Omasker Kaziw Kazipa. This report is provided in accordance with section 110 of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Child Rearing Practice) Act 2020 (Qld) (the Act)*.

The Annual Report outlines the statutory responsibilities and key activities undertaken by the Office of the Commissioner Meriba Omasker Kaziw Kazipa from 1 July 2024 to 30 June 2025. It details the Office's functions, reviews its operations, and reports on compliance with the relevant legislative provisions, governance requirements, and administration arrangements set out in the Act. This report also presents proposals to enhance the Office's operations and forecasts of its anticipated workload for the current financial year.

In accordance with the Act, this Annual Report does not include any confidential information or any details that identify, or could reasonably be used to identify, a child who was the subject of an application, or applicant, or any person required to provide a statement for a Cultural Recognition Order application.

Yours sincerely,

Mr C'Zarke Maza
Commissioner, Meriba Omasker Kaziw Kazipa
27 October 2025

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Meriba Omasker Kaziw Kazipa Advisory Group

Guiding the Cultural Integrity of Ailan Kastom

The Meriba Omasker Kaziw Kazipa Advisory Group is central to the work of the Office of the Commissioner. Established to guide the implementation of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, the group provides cultural endorsement, expert advice, and oversight to ensure that Torres Strait Islander families remain at the heart of this historic legislation.

Their role is to safeguard the authenticity of Ailan Kastom within Western law, ensuring that Torres Strait Islander children's cultural and birth identities reflect the gifting of children between families in accordance with ancient practices and laws. The Advisory Group's guidance is grounded in lived experience, deep cultural knowledge, and decades of professional and community leadership.

Members of the Advisory Group

Dr Ivy Trevallion – Co-chair

A respected Torres Strait Islander leader, Aunty Ivy is descended from the Dhoeybaw, Saibai Keodal, Sui Baidam, Samu and Burum Thabu clans of Dauan and Saibai Islands. With over 40 years of experience in community organisations and government, she has devoted her life to advocacy and social justice.

“It is a sacred subject to talk about. Every person is culturally given to somebody else and there are cultural laws and practices in place that don’t allow you to talk about it.”

Bill (Belza) Lowah – Member

With a lifelong commitment to Indigenous rights, Bill has worked across health, housing, education, and justice, including roles with the Council for Aboriginal Reconciliation and the Royal Commission into Aboriginal Deaths in Custody.

“There wouldn’t be one Torres Strait Islander family today, yesterday or before time began where this practice has not happened – not one.”

Francis Tapim – Member

Born on Mer and based in Townsville, Francis has led community organisations and advisory boards across health and culture. He brings lived experience of being traditionally adopted.

“I’m traditionally adopted, so I know what it is like.”

The late Dana Ober – Non-ongoing Member

Dana’s career spanned more than 20 years across government, higher education, and

cultural policy. He had been instrumental in supporting Aboriginal and Torres Strait Islander languages and education initiatives.

“I refer to it as Island Adoption because that is what it is – the significance of the practice is that it is meant to grow the family.”

The Honourable Alastair Nicholson – Member

One of Australia’s most respected judges, Alastair Nicholson was Chief Justice of the Family Court of Australia from 1988 to 2004. His legal expertise was pivotal in advancing recognition of traditional adoption.

“It became clear to me that Traditional Adoption was an integral part of family structures – it was so widespread, it was extraordinary.”

Dr McRose Elu – Member

An award-winning community leader and advocate, Aunty McRose has contributed decades of expertise in cultural advisory, pastoral care, and policy development.

“Our way of giving and receiving a child is with love.”

Paul Ban – Member

A social worker and academic, Paul has been part of the Advisory Group since its inception in 1990, bringing valuable research and international experience in child protection and family group conferencing.

“It is integral to Torres Strait society because it links families together through the exchange of children.”

The People in the OCMOKK Logo

This represents the Kupai Omasker Working Party and those who had played an important role in upholding culture and the traditional practice of child gifting. The lines outside the heads symbolising the phases of the moon; the moon phases are how Torres Strait Islanders track time.

The people have their arms up in the air – which is no easy thing to maintain – signifying that it is hard work to uphold culture and protect traditional practices. However, the arms meet to provide support and together, they create a roof-like shape, symbolising the home, safety and security.

Artist: Laurie Nona



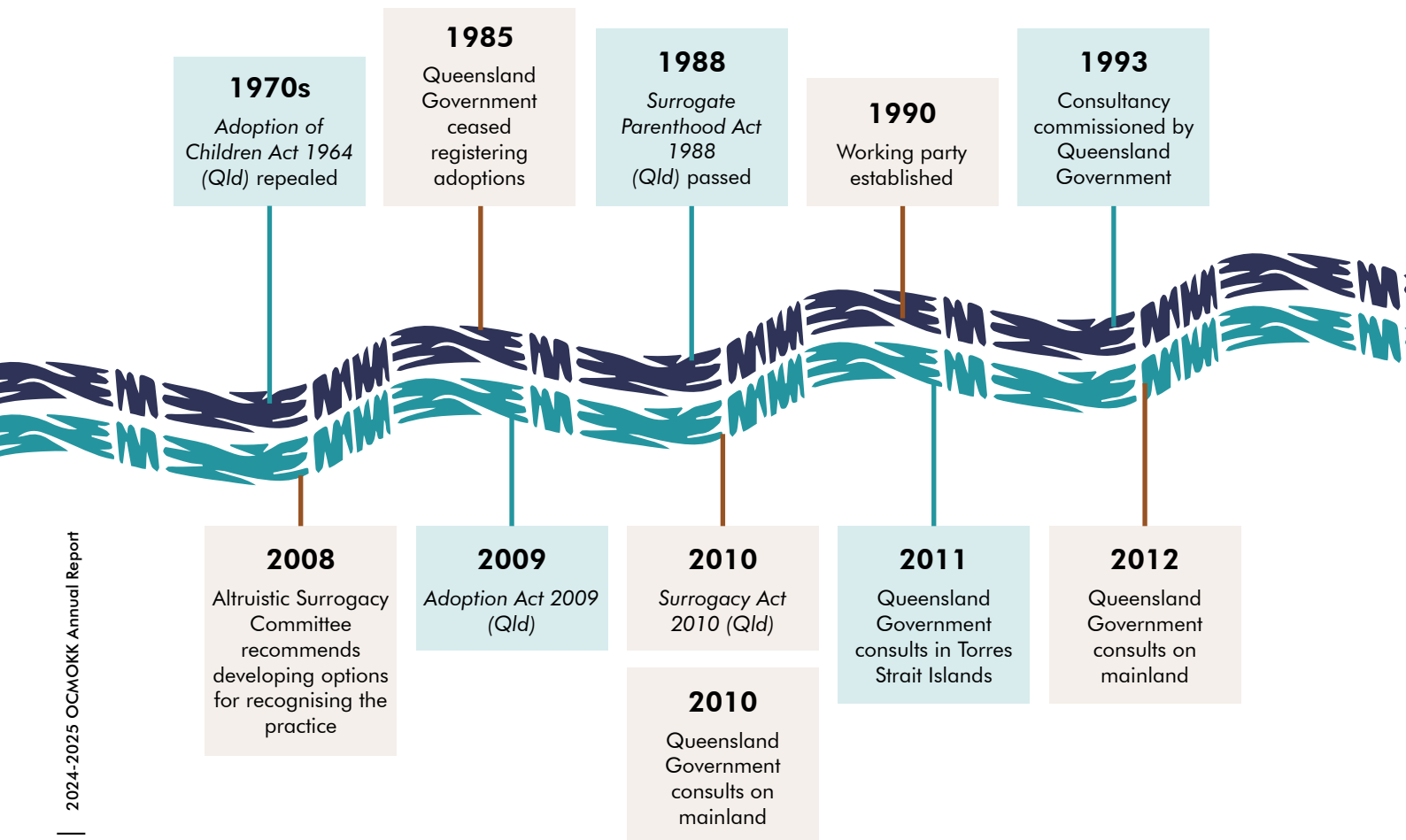
Honouring Over 30 Years of Advocacy

This Annual Report is dedicated to the Kupai Omasker Working Party, whose tireless advocacy over more than three decades led to the historic passage of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Child Rearing Practice) Act 2020*.

This small yet formidable group of Torres Strait Islanders and supporters were the driving force behind legal recognition of Ailan Kastom child-rearing practices. Their persistence addressed a long-standing injustice and corrected deep structural inequities faced by generations of Torres Strait Islander families.

Their journey demonstrates the transformative power of advocacy and collaboration. Bringing together cultural knowledge and the mechanisms of government, the Working Party achieved a landmark reform that will protect the rights and identities of children for generations to come. Today, the Advisory Group continues their mission – honouring tradition, protecting children’s rights, and ensuring that Ailan Kastom remains respected within the law.

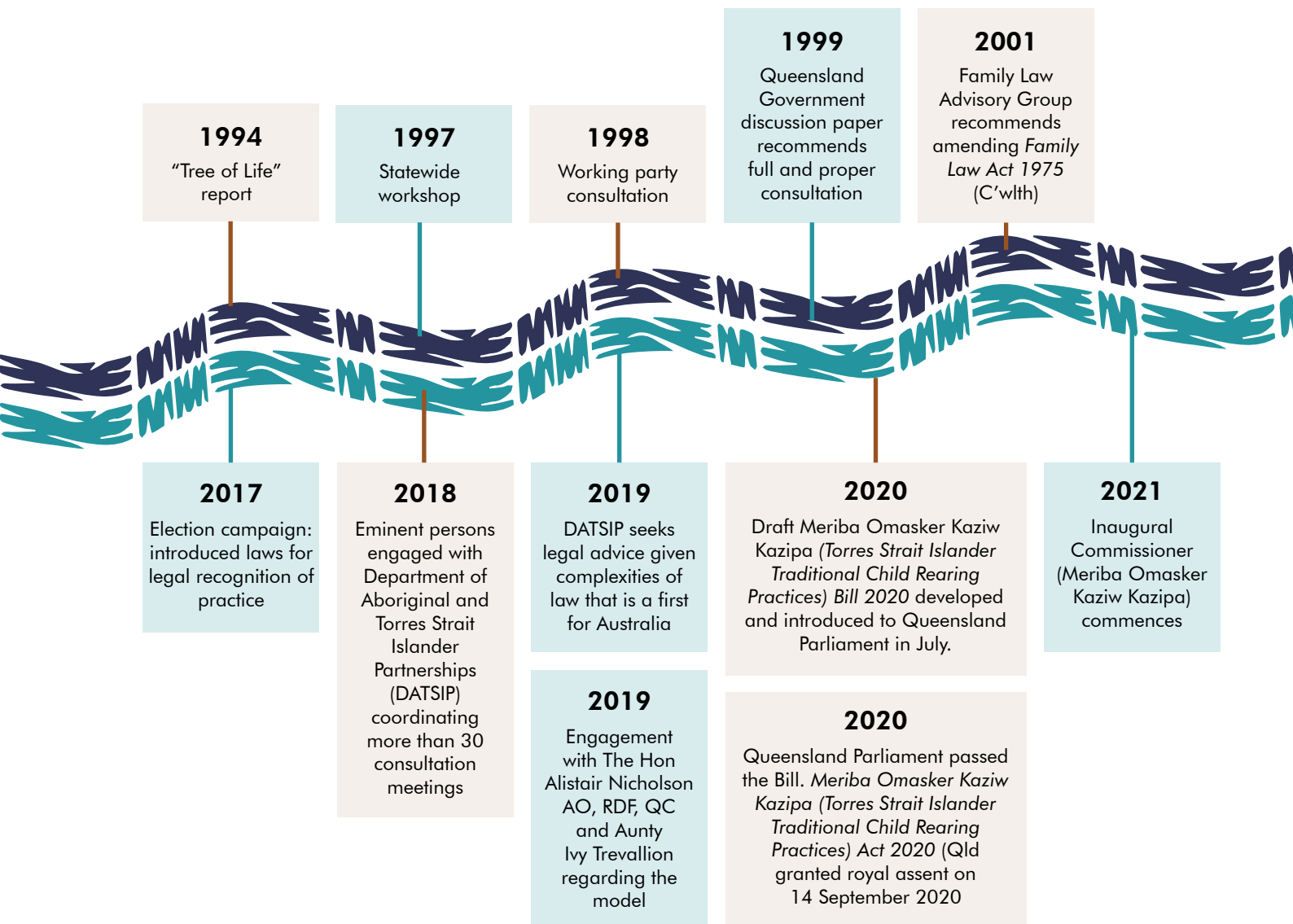
The Journey Towards Legal Recognition





Those outside Ailan Kastom, and are not Torres Strait Islanders, have found it difficult to understand a practice based on collectivist and communal ways of living rather than western individualism.

— Piri Piri Mab



Message from the Commissioner

I am honoured to provide you with an update for the 2024–2025 financial year. This year has been one of progress, stability, and most importantly, a year that has continued to transform the lives of Torres Strait Islander families through the legal recognition of traditional child-rearing practices.

Service Delivery and Impact

As at 30 June 2025, 101 Cultural Recognition Orders (CROs) have been granted under the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* – 88 for children and 13 for adults – benefitting more than 600 individuals. Of these, 17 applications required court proceedings for dispensation of consent, reflecting the complexity of this work and the importance of ensuring due process. These figures reflect strong community trust in the process, particularly given the sacred and sensitive nature of Torres Strait Islander child-rearing practices.

But behind the numbers are the lived experiences of families. This process is not just administrative – it is transformational. For families and children, a Cultural Recognition Order restores dignity, identity, and cultural legitimacy. It acknowledges Ailan Kastom and ensures cultural parents are formally recognised in law, allowing them to provide the care, protection, and decision-making they have always held in practice. Families are now able to obtain accurate birth certificates, access education and health care, secure housing, and receive entitlements that were once out of reach. Most importantly, these certificates now reflect cultural parents, siblings, and identity – embedding Ailan Kastom within the law.

One powerful example involved a family caring for a child with disabilities and complex medical needs. For years, the cultural parents were unable to access critical health services because the child's birth certificate did not reflect the cultural reality. Once a Cultural Recognition Order was granted and a new birth certificate issued, they could finally obtain the medical care their child urgently needed. What mainstream society takes for granted – access to health services – only became possible for this family once cultural identity was recognised in law.

Another story earlier this year demonstrates the far-reaching impact of this work. Our office supported a Torres Strait Islander Elder in their eighties to obtain their first-ever birth certificate. Born in the 1930s in a remote Torres Strait Island community, their birth had never been registered. For nearly nine decades, they had no legal identity, creating barriers to aged care, government services, banking, and everyday supports. Working closely with the Registry of Births, Deaths and Marriages, we were able to secure a late birth registration. The issuing of this document was deeply emotional – it not only enabled the Elder to apply for a Cultural Recognition Order, but also provided them with recognition and access to essential supports for the very first time.

These stories, and many others, demonstrate that the impact of a Cultural Recognition Order is life-changing. It enables access to education, health, housing, employment, and legal entitlements – but just as importantly, it affirms cultural belonging and heals the historic exclusions that many Torres Strait Islander families have endured.



Operational Progress and Achievements

In addition to service delivery, this year has seen important operational milestones for our office:

- Successful completion of major system improvements to the Meriba Omasker Information Management System (MOIMS), delivering more reliable data capture, enhanced reporting capability, and a more efficient process for managing applications.
- Launched a new community-centred OCMOKK website, giving families easier access to information and guidance through the Cultural Recognition Order application process.
- Strengthened collaboration with key partners, including Legal Aid Queensland, by supporting the development of educational resources that help families better understand the application process and the requirements for dispensation orders when applying for a Cultural Recognition Order.
- Refreshing of public information materials under the new OCMOKK branding, ensuring resources are more user-friendly and culturally appropriate.

These improvements have strengthened our ability to serve families more effectively and to maintain the integrity of this unique cultural recognition process.

Sustainable Funding, Reappointment and Future Directions

On 19 June 2025, the Office of the Commissioner (Meriba Omasker Kaziw Kazipa) was advised that the Governor in Council had approved my reappointment as Commissioner for the period 1 July 2025 to 30 September 2025, while a recruitment process was undertaken.

Previously, the administration of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* had only been until June 2025. The Queensland Government has since committed \$8.9 million over four years from July 2025, including \$291,000 dedicated to legal services for applicants.

This investment secures the sustainability of service delivery, ensures access to culturally safe support and legal advice, and strengthens partnerships with legal service providers, the Registry of Births, Deaths and Marriages, and government departments.

This reappointment provides continuity of leadership for the Office, ensuring families and communities continue to receive culturally responsive support and services during the transition to longer-term appointment for the successful Commissioner of up to three years.

The Section 111 Review of the Act, completed in 2024, confirmed the Act is operating as intended and

provided 64 recommendations for legislative and operational improvements. Many of these operational or procedural improvements have already been implemented. A final government response is expected, identifying which recommendations will be supported by government and progressed. Sustained funding will ensure these recommendations can be embedded, and we will be positioned to expand access, raise awareness, and continue to refine our services in partnership with Torres Strait Islander communities.

Feedback and Community Voices

The voices of families remain the most powerful testament to this work. Many have shared heartfelt words of gratitude:

“I’m in tears – thank you so much. Words can’t explain how grateful I am.”

“Koeyma eso au esoau. May you and your team continue to serve our people with honour, respect and a joyful heart.”

“Just letting you know I got the birth certificate. Thank you so much – keep up the amazing work you’re doing.”

These expressions of appreciation remind us that recognition is not just legal – it is personal, cultural, and deeply healing.

Looking Ahead

The coming year will focus on embedding system improvements, improving processing times for enquiries and applications for Cultural Recognition Orders, raising awareness of the process across communities, and continuing to provide culturally competent support for families. Cultural Recognition Orders directly contribute to Closing the Gap priorities in health, education, housing, and employment, while also strengthening cultural identity (Target 16).

Conclusion

I remain deeply honoured to serve as Commissioner during this historic period. The Act continues to show that law can walk alongside culture, and that when systems are guided by respect and trust, they can deliver recognition, healing, and opportunity.

With gratitude to the Queensland Government, our partners, and the Torres Strait Islander families who entrust us with this sacred responsibility, I present the Annual Report of the Office of the Commissioner, Meriba Omasker Kaziw Kazipa, for the financial year ending 30 June 2025.

Mr C’Zarke Maza

Commissioner, Meriba Omasker Kaziw Kazipa

Performance and Operations

Prior to the introduction of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, Torres Strait Islander families could only apply for child adoption under the *Adoption Act 2009 (Qld)*.

It is important to understand the distinct purpose and unique differences of both Acts in Queensland.

1 Adoption Act 2009

The *Adoption Act 2009* provides the legislative framework for adoption in Queensland. It establishes a permanent legal relationship between a child and their adoptive parents, while simultaneously removing the legal relationship with the child's birth parents and extended family. Adoption is considered a permanent care option when a child, for various reasons, cannot live with their birth family.

Adoption Services is responsible for providing services in Queensland for:

- parents considering adoption for their children
- children requiring adoptive placements
- people seeking to adopt children
- people seeking information or to lodge a contact statement in relation to a past adoption.

It is unlawful to attempt to privately arrange an adoption in Queensland.

The processing timeframe is approximately 6 to 18 months.

A key consideration in adoption involving Aboriginal and Torres Strait Islander children is the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP), introduced in 2018. The ATSICPP establishes a placement hierarchy prioritising

Aboriginal and Torres Strait Islander relatives or kin, or, if this is not possible, placements geographically close to the child's family and community. The principle also emphasises the importance of maintaining cultural, community, and family connections.

According to the Australian Institute of Health and Welfare, Adoptions Australia report (4 March 2025), in 2023–24, nine Aboriginal and Torres Strait Islander children had been adopted through known child adoptions and two through local adoptions. Of these, four involved at least one adoptive parent who identified as Indigenous.

It is important to note that adoption under the *Adoption Act 2009* is not part of Aboriginal tradition or Torres Strait Islander custom. For Aboriginal and Torres Strait Islander children, adoption is considered a last resort and only pursued where no better permanency options exist. In contrast, the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Child Rearing Practice) Act 2020* provides for the legal recognition of Torres Strait Islander child-rearing practice. This distinct cultural process enables parental responsibility for a child to be permanently transferred from birth parents to cultural parents, reflecting Torres Strait Islander tradition while preserving identity, culture, and kinship.

2 Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020

Provides a process for legal recognition of Ailan Kastom traditional child-rearing practices among Torres Strait Islander people through Cultural Recognition Order applications. The Act establishes a western administrative process to support legal recognition of a cultural law and custom.

In addition to outlining the process for seeking legal recognition, the Act establishes both a Commissioner and an Office of the Commissioner. The Commissioner is responsible for issuing Cultural Recognition Orders that permanently transfer parentage to the cultural parents.

It is crucial to emphasise the sensitive and confidential nature of Ailan Kastom child-rearing practices. The

Act does not require applicants to disclose specific details about the practice as part of the application process. Moreover, the Act includes provisions to safeguard the confidentiality of information that is considered secret or sacred (as outlined in section 102 of the Act). The framework for legal recognition has been meticulously designed to be affordable, accessible, culturally sensitive/responsive, and confidential. It operates on an opt-in basis, relying on consent and voluntary participation.

The processing timeframe is approximately 1 to 48 weeks.

Section 33 (b) (ii), (iii) and (iv) of the Act outlines what is required if the application relates to a child.

The following tables outline the total number of known child adoptions in Queensland versus total number of Cultural Recognition Orders granted in Queensland from 2021-22 to 2023-24.

Known child adoptions in Queensland, 2021–22 to 2023–24 (Qld Population = 5.2 million)

	2021–22	2022–23	2023–24
Jurisdiction QLD	6	6	13

Source: AIHW Adoptions Australia data collection and the Registry of Births, Deaths and Marriages.

Cultural Recognition Orders granted, 2021–22 to 2024-25 (Torres Strait Islander Population in Qld = 50,810)

	2021–22	2022–23	2023–24	2024–25
CROs Granted	4 (4 child CROs granted) Out of the 4 CROs granted in 2021-22, 1 involved a Dispensation Order	17 (15 child CROs granted and 2 adult/retrospective CRO's granted) Out of the 17 CROs granted in 2022-23, 6 involved Dispensation Order	25 (21 child CROs granted and 4 adult/retrospective CROs granted) Out of the 25 CROs granted in 2023-24, 1 involved a Dispensation Order	55 (48 child CROs granted and 7 adult/retrospective CROs granted) Out of the 55 CROs granted in 2024-25, 9 involved Dispensation Order's
CROs Refused	0	0	1	3
CROs Withdrawn	0	0	1	1

Source: Meriba Omasker Information Management System data collection

Known child adoptions are adoptions of children who were born or permanently living in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s).



Cultural Recognition Orders

The *Meriba Omasker Kaziw Kazipa Act (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* (The Act), now in effect for nearly four years, is the first legislation in Australia to provide legal recognition of a unique and longstanding Torres Strait Islander cultural practice. Its framework is distinct, culturally specific, and designed to strengthen families and communities through recognition of Ailan Kastom child-rearing practices.

Since its commencement in 2021, the uptake of Cultural Recognition Orders has been strong and has been significantly outpacing, and in some years more than doubling, the number of known child adoptions occurring annually in Queensland under the *Adoption Act 2009*. This demonstrates both the effectiveness of the Act and the central role Cultural Recognition Orders play in responding to community needs.

As at 30 June 2025, 101 Cultural Recognition Orders had been granted, legally recognising traditional child-rearing arrangements and providing certainty for more than 606 individuals. These outcomes extend beyond legal recognition – they directly support Queensland’s efforts to meet key Closing the Gap targets. By ensuring accurate identity documentation aligned with cultural parentage, Cultural Recognition Orders remove barriers to accessing education, employment, health care, housing, and social services. For example, children with Cultural Recognition Orders are better able to enrol in school, access health care with proper parental consent, and secure essential documents such as tax file numbers, driver licences, and passports. Similarly, cultural parents gain access

to childcare subsidies, parenting payments, and other supports that strengthen workforce participation.

Cultural Recognition Orders therefore contribute directly to Closing the Gap targets in health (Targets 1, 2), education (Targets 3–7), employment (Targets 7, 8), housing (Target 9), and culture and identity (Target 16). They reinforce cultural continuity, strengthen family structures, and ensure Torres Strait Islander children and adults are not disadvantaged by gaps in legal recognition of their upbringing.

Although Torres Strait Islander people represent a small proportion of Queensland’s population (around 50,810 people compared with 5.2 million), the strong uptake of Cultural Recognition Orders demonstrates deep community trust and validates this culturally grounded approach. It also shows that the Act is achieving its intended purpose – supporting families to secure both cultural and legal recognition in a way that upholds Torres Strait Islander identity, community belonging, and cultural strength.

Looking forward, as awareness grows and support expands through Cultural Support Officers and legal assistance, the number of Cultural Recognition Orders is expected to continue increasing. This will further enhance Queensland’s progress in Closing the Gap by ensuring Torres Strait Islander families have equitable access to the services, rights, and opportunities afforded to all Queenslanders, while maintaining their unique cultural identity and practices.

For Torres Strait Islander families and children, the granting of a Cultural Recognition Order restores identity, dignity, and cultural legitimacy. It recognises the lived reality of Ailan Kastom and ensures that cultural parents are formally acknowledged in law. This process is not just administrative – it is deeply transformational.

For each child and adult granted a Cultural Recognition Order, the experience is often described as life-altering. It provides legal documentation that reflects their true family identity, enables access to services like Medicare and education, and honours their connection to Ailan Kastom.

Feedback from families continues to speak volumes about the significance of this process:

“ Client Testimonials

Kapu Bathainga, Big eso for your ongoing support towards my kid’s birth certificate. Got the last one yesterday. Mina big eso gen and good to see youpla committed and open to delivering cultural support and assistance to our people. Greatly appreciated.

*Debe idim (good morning) Jane,
Au Esoau (many thanks) for sharing the Legal Aid Links,
Applying for a cultural recognition order.
Great work OCMOKK.*

Just letting you know I got the birth certificate; thank you so much appreciate all that you did for us. Keep up the amazing work you’re doing.

Mina big eso I be get my boy birth certificate.

Mina big esso for you my boy. May our good Lord Jesus Christ will always be on your side, and keep you in his blessings. Love you.

Yargar thank you for everything, you’ve just made my day.

Thank you ever so much for your assistance. May you and your team continue to serve our people with honour, respect and a joyful heart. My missus, our daughter and I say Koeyma eso au esoau.

Yagar big esso for all your help and esso for the work upla mekem for mepla families.

Quotes from Mayors and Advisory Members

We have passion and benefit for the commitment of all of us, and for our cultural lore. This is for kasom, and our cultural practice for all of Torres Strait.
- Dr. Mcrose Elu

Yumi have to make sure that our children are protected, and they’re the main thing no matter who they are.
- Dr. Ivy Trevallion

These voices speak to the deep cultural and emotional meaning behind every Cultural Recognition Order. They remind us that recognition is not just legal – it’s personal, historical, and deeply healing.

A KEY MILESTONE SUCCESSFULLY REACHED

100 Cultural
Recognition
Order



Insights from Cultural Recognition Order Data

The 2024–25 reporting year was a period of significant progress for the administration of Cultural Recognition Orders (CROs) under the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*. The data for this year demonstrates not only a substantial increase in the number of CROs granted but also provides insights into applicant demographics, geographic reach, the complexity of applications, and the processing times involved.

Overall Numbers and Growth

In total, 55 Cultural Recognition Orders were granted in Queensland in 2024–25. This represents a remarkable 220 per cent increase compared to the number granted in the previous financial year. Such a sharp rise highlights the growing awareness and confidence among Torres Strait Islander families in the legal recognition process for traditional child-rearing practices.

The figures show that of the 55 CROs granted, the majority related to children. Specifically, 87 per cent (48 orders) were granted for children, while the remaining 13 per cent (seven orders) were granted for adults. This distinction is important, as it demonstrates that families are actively seeking recognition both for current generations of children and for adults who wish to formalise their cultural identities and family arrangements later in life.

A noteworthy feature of this year's Cultural Recognition Orders granted is that five per cent (three CROs) involved applicants residing outside Queensland. These applications were located in Western Australia and the Northern Territory, demonstrating that the Act is serving not only eligible Torres Strait Islander families based in Queensland but also those living across Australia. This indicates the wider reach and relevance of the Act, affirming its importance for Torres Strait Islanders irrespective of their place of residence.

Child Applications

The 48 CROs granted for children provide a more detailed picture of the types of families accessing the scheme.

Gender Breakdown

- 56 per cent (27 children) were male.
- 44 per cent (21 children) were female.

This distribution is fairly balanced, with only a slight leaning toward male's subject to the application. It suggests that the system is being used broadly across families, without significant gender disparity in applications.

Age Distribution

The children whose applications were granted spanned a

range of ages:

- 12.5 per cent (six children) were infants under 12 months.
- 25 per cent (12 children) were aged between one and four years.
- 14.5 per cent (seven children) were aged between five and 10 years.
- 48 per cent (23 children) were aged between 11 and 17 years.

The largest single group of applications was for adolescents aged 11 to 17 years, representing nearly half of all child CROs. This is a telling statistic: families may prioritise formal recognition as children approach adolescence or young adulthood, when identity, schooling, and legal certainty become increasingly important. By contrast, while applications for infants and very young children do exist, they make up a smaller share. This pattern may suggest that families often wait until children are older before seeking legal recognition, though ongoing community engagement may encourage more families to apply earlier.

Consent Considerations

In 14.5 per cent of child applications (seven orders), the birth father's consent was dispensed with. This figure reflects the proportion of applications where, due to circumstances such as absence, non-involvement, or other cultural complexities, the court determined that Cultural Recognition Order application process should proceed without requiring paternal consent. This demonstrates how the Act balances cultural respect and the best interests of the child with practical realities of family life.

Adult Applications

The seven CROs granted for adults illustrate another important use of the Act. These applications provide older Torres Strait Islander individuals with the opportunity to formalise their cultural identities and affirm their place within traditional child-rearing practices.

Gender Breakdown

- 71 per cent (five adults) were male.
- 29 per cent (two adults) were female.

The higher proportion of male applicants in adult CROs, while only supported by anecdotal observations at this stage, may indicate that adult men are more inclined to seek legal recognition of their upbringing, particularly where issues such as land inheritance and identity certainty are concerned. It may also reflect current

patterns in the types of applications being brought forward to date. Over time, as awareness of the process grows and its benefits become more widely understood, this gender balance is likely to become more evenly distributed.

Consent Considerations

In 29 per cent of adult applications (two orders), the birth father's consent was dispensed with. The higher proportion, compared with child applications, may reflect the challenges in adult applications where family histories are complex or longstanding, and where obtaining consent from all parties is not feasible.

Processing Times and Clearance Rates

The performance of the process can also be measured through application volumes, clearance rates, and the time taken to process applications. These indicators provide important insights into how efficiently the Act is being administered.

Application Volumes

During 2024–25, a total of 96 CRO applications were active. This figure includes both new applications lodged within the year as well as applications carried over from the previous reporting period. Of these 96 applications, 35 were deemed complex because they involved dispensation order applications requiring engagement with legal service providers and, in some cases, court proceedings. Complex applications naturally take longer to resolve and require more intensive oversight.

Clearance Rate

Out of the total 96 applications, 59 were resolved during the year. Resolution includes applications that were granted, refused, or withdrawn. This equates to a 61 per cent clearance rate, meaning that the majority of applications were successfully finalised, though some remain in progress and will be carried over into the next reporting period.

Average Processing Times for Child Applications

For the 48 child applications, the average processing time was 35 business days, representing just over seven weeks. This figure demonstrates efficiency in straightforward applications.

However, where child applications required a dispensation order and involved more complex procedures with legal service providers and courts, the average processing time was significantly longer, at 182 business days (approximately nine months). This

reflects the complexity and care required to ensure these applications are resolved appropriately.

Average Processing Times for Adult Applications

For the seven adult applications, the average processing time was 54 business days, or just over 10 weeks. This is longer than child applications, perhaps reflecting the additional work required to validate adult applications and review historical contexts.

When adult applications involved a dispensation order, the average processing time was 176 business days, which is just under nine months. Similar to child applications, this demonstrates the additional time required to navigate cultural and legal complexities.

Key Insights

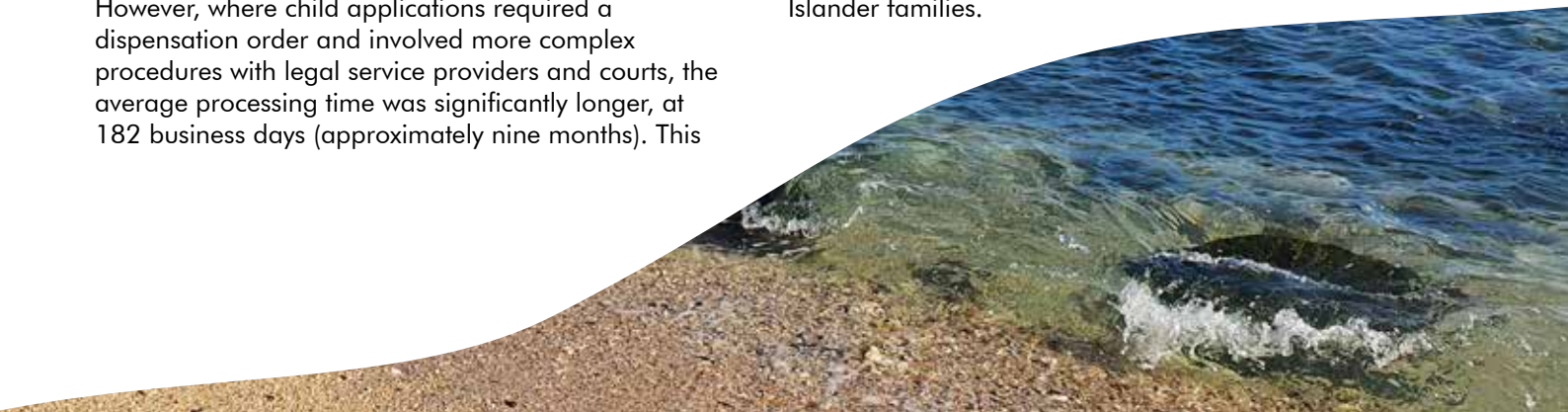
The 2024–25 data paints a clear picture of a system that is both growing in scale and maturing in its processes. The 220 per cent increase in orders granted compared to the previous year demonstrates that Torres Strait Islander families are increasingly turning to the Act to formalise traditional child rearing practices.

The dominance of child applications – particularly for adolescents – suggests that recognition becomes most urgent as children move into later stages of schooling or approach adulthood. At the same time, the presence of adult applications shows the Act's relevance across the lifespan, allowing older individuals to secure recognition of their upbringing and cultural identity.

Processing times and clearance rates reveal that while straightforward applications are managed relatively quickly, complex applications involving dispensation orders require much more time and resources. The average nine-month timeframe for such applications underscores the need for careful management to balance cultural, legal, and ethical considerations.

Finally, the fact that applicants from outside Queensland are engaging with the process affirms that the Act resonates with Torres Strait Islander people wherever they live, reinforcing its national significance.

Overall, the year's data highlights a period of growth, consolidation, and continued trust in the system. It points to the ongoing role of the Act in safeguarding cultural practices while providing legal certainty for Torres Strait Islander families.



Key Organisational Outcomes

Legal Aid Queensland Educational Resources

In 2024–25, the Office of the Commissioner Meriba Omasker Kaziw Kazipa worked in partnership with Legal Aid Queensland (LAQ) to co-design a suite of educational resources and explainer videos to support Torres Strait Islander families in understanding the Cultural Recognition Order (CRO) process. These resources, delivered in both English and Yumplatok (Torres Strait Creole), reflect the Commissioner’s commitment to ensuring culturally safe, accessible, and practical information for families engaging with the Act.

The resources provide step-by-step guidance on what a CRO is, the application process, and the importance of independent legal advice. They also address complex scenarios, such as when a dispensation order may be required. By presenting information in clear, culturally appropriate formats, the videos help reduce barriers to accessing justice and ensure families can make informed decisions about formalising Ailan Kastom child rearing arrangements.

Educational Resources co-designed with LAQ include:

Applying for a CRO

Explains what a CRO is, eligibility requirements, and how to apply. Highlights the benefits of legal recognition, such as securing accurate birth certificates, removing barriers to education, health, and employment, and protecting identity across generations.

Getting Legal Advice about a CRO

Emphasises the importance of seeking independent, free, and culturally safe legal advice. Outlines how to access

support through LAQ lawyers in Cairns and Waibene (Thursday Island) and what to expect at the first meeting with a lawyer.

Cultural Recognition: Applying for a Dispensation Order

Explains when a dispensation order may be required – for example, where a birth parent cannot be located or has passed away – and how Legal Aid Queensland can assist in preparing applications and representing families in court.

Impact

The co-designed resources represent a significant milestone in supporting Torres Strait Islander families to navigate the CRO process. By embedding cultural authority, plain-language explanations, and bilingual delivery, the Office and LAQ have:

- Increased community confidence in engaging with the Act.
- Reduced barriers to accessing legal processes.
- Strengthened the protection of children’s cultural and legal identities.

These resources ensure that Ailan Kastom remains respected within the law, while families are empowered with the knowledge and support they need to secure their rights under the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*.



Meriba Omasker Kaziw Kazipa Information Management System (MOIMS) Update

Meriba Omasker Kaziw Kazipa Information Management System (MOIMS) Upgrade



In May 2024, the Office of the Commissioner for Meriba Omasker Kaziw Kazipa (OCMOKK) commenced a system upgrade project to strengthen the Meriba Omasker Kaziw Kazipa Information Management System (MOIMS). The upgrade was delivered in close collaboration with the Application Solutions Information Services team within the Department of Families, Seniors, Disability Services and Child Safety, who oversee the information technology contract on behalf of the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism.

MOIMS was originally developed and adapted from the Adoption Information Management System (AIMS). Its primary purpose is to support OCMOKK in managing the information unique to the Cultural Recognition Order (CRO) process. The 2024-25 upgrade aimed to ensure MOIMS was fit for purpose and capable of meeting the growing operational demands of the office.

As the central platform for the office's day-to-day operations, MOIMS plays a critical role in managing CRO applications, enquiries, application information, and reporting. However, as demand for services increased, staff identified a number of obsolete functions and system limitations. These included duplication of data entry, limited reporting capabilities, and insufficient automation of routine processes. Such challenges created unnecessary administrative burdens and made it difficult to capture accurate data or monitor performance against legislative requirements.

Recognising these constraints, the office prioritised a comprehensive upgrade to improve functionality, strengthen governance, and enhance service delivery.

A phased project plan was adopted, with the first stage delivered between May 2024 and May 2025. Phase one focused on removing outdated functions, improving data integrity, automating manual processes, and streamlining workflows.

Phase one was completed successfully on 30 May 2025 and delivered a range of significant outcomes:

- Increased capacity and streamlined processes – automated workflows and standardised templates have reduced manual steps, creating greater efficiency and consistency in application and reporting processes.
- Reduced data entry and improved efficiency – single-entry data capture now prevents duplication and enables information to flow more seamlessly across system functions. This has led to measurable productivity gains and allowed staff to focus on complex, high-value tasks.
- Improved data accuracy and reporting quality – the introduction of defined data fields and validation processes ensures information is accurate, complete, and reliable. This has resulted in more “true or clean” data, enabling greater evidence-based decision-making and enhancing the quality of reports provided to government, stakeholders, and communities.
- Enhanced governance and compliance – built-in tracking tools now support the monitoring of legislative timeframes and compliance requirements, strengthening accountability and transparency.

The delivery of phase one marks a major milestone in the digital transformation of OCMOKK. The upgraded system strengthens the integrity of the CRO process, ensures statutory obligations are met, and provides staff with the tools to work more effectively and responsively.

The completion of phase one delivered exceptional outcomes. Building on this success, future enhancements are expected to expand system functionality, introduce advanced analytical capabilities, and ensure MOIMS continues to evolve in line with governance frameworks and the needs of Torres Strait Islander families and communities.



Enquiry Outcomes

In the 2024–25 fiscal year, the Office of the Commissioner Meriba Omasker Kazipa (OCMOKK) strengthened its role as a culturally responsive, community-focused service for Torres Strait Islander families. Through a blend of community engagement, strong partnerships, and an enhanced digital presence, the Office expanded access to information and support for families seeking recognition of Ailan Kastom child-rearing practices.

During the year, the Office closed and resolved a total of **749 enquiries**. This represents the highest number of enquiries finalised since the commencement of the Act and reflects the growing awareness of Cultural Recognition Orders (CROs) and the confidence families place in the Office's guidance. Enquiries addressed a wide range of matters, including eligibility, consent requirements, inheritance, parental responsibility, and the broader legal and cultural significance of CROs.

Community engagement and promotional activities remained a cornerstone of the Office's work. In 2024–25, the Office delivered **158 engagement activities**, reaching **3,917 attendees** across Queensland and interstate. These events were held in a diverse range of locations, reflecting the Office's commitment to accessibility and inclusivity. Engagements were delivered in Cairns, Townsville, Bamaga, Boigu Island, Brisbane, Darnley Island, Dauan Island, Hammond Island, Horn Island, Yam Island, Injinoo, Moa Island, Yorke Island, Mabuiag Island, Mackay, New Mapoon, Saibai Island, Seisia, Thursday Island, Stephen Island, Umagico, Weipa, Woodridge and also online. In recognition of the widespread interest in the Act, the Office also extended its reach interstate, delivering engagement activities in Sydney, New South Wales.

These activities provided culturally safe spaces for families and stakeholders to seek clarity, ask questions, and build trust with the Office and its partner agencies. Feedback consistently highlighted that in-person engagement was highly valued, particularly where families could access both legal and cultural guidance in one setting. The high attendance levels demonstrate

the strong community interest in CROs and the importance of accessible, face-to-face services.

Partnerships with Legal Aid Queensland, the Registry of Births, Deaths and Marriages, and the Queensland Indigenous Family Violence Legal Service continued to strengthen the delivery of information and support at these events. By working collaboratively, the Office ensured that families were equipped with holistic, accurate, and practical advice during their enquiries.

A significant milestone for the Office in 2024–25 was the **launch of the new OCMOKK website**. Designed to be more user-friendly and accessible, the website provides key information about the Act, application processes, and support services. The platform has become a vital tool for families living outside Queensland and for Torres Strait Islanders residing interstate and overseas, enabling them to access resources without the limitations of geography.

The Office also experienced **increased engagement across its social media platforms**, particularly Facebook and Instagram. These channels have amplified the Office's ability to connect with Torres Strait Islander families, promote engagement activities, and respond to enquiries in real time. Online outreach extended the Office's visibility beyond Queensland, generating interest from communities in New South Wales, Western Australia, Victoria, and internationally.

In summary, the Office's achievements in 2024–25 – including the resolution of **749 enquiries**, delivery of **158 engagement activities**, and connection with **3,917 participants** – demonstrate the growing demand for its services and the effectiveness of its community-focused and digitally enhanced approach. **Since its inception, the Office has finalised over 1,900 enquiries and directly engaged with over 16,000 community members and stakeholders, reflecting the deep and continuing impact of the Act across Queensland, interstate, and broader interests internationally.**

Breakdown of enquiry numbers by Regional Boundaries (enquirer location)

	2022-24	2024-25
Torres Strait Islands	356	395
Far North Queensland	556	177
North Queensland	75	47
Central South West	10	2
South East Queensland	80	16
O/S QLD (within AUS)	24	7
O/S Australia	1	
Blank	65	105
TOTAL	1,167	749
GRAND TOTAL	1,916	

Torres Strait Islands

FY2022-24	FY25
356	395
751	

FY2022-24 FY25

- Bamaga
- Injinoo
- New Mapoon
- Northern Peninsula Area
- Seisia
- Torres Shire
- Torres Strait Island
- Umagico

Far North Queensland

FY2022-24	FY25
556	177
733	

FY2022-24 FY25

- Aurukun
- Cairns
- Cassowary Coast
- Kowanyama
- Lockhart River
- Mapoon
- Mareeba
- Napranum
- Weipa
- Yarrabah

North Queensland

FY2022-24	FY25
75	47
122	

FY2022-24 FY25

- Burdekin
- Carpentaria
- Hichinbrook
- Isaac
- Mackay
- Mount Isa
- Townsville

Central South West

FY2022-24	FY25
10	2
22	

FY2022-24 FY25

- Balonne
- Bundaberg
- Gladstone
- Fraser Coast
- Rockhampton
- Toowoomba

South East Queensland

FY2022-24	FY25
80	16
96	

FY2022-24 FY25

- Brisbane
- Gold Coast
- Logan

Outside Queensland Within Australia

FY2022-24	FY25
24	7
31	

Blank

FY2022-24	FY25
65	105
170	

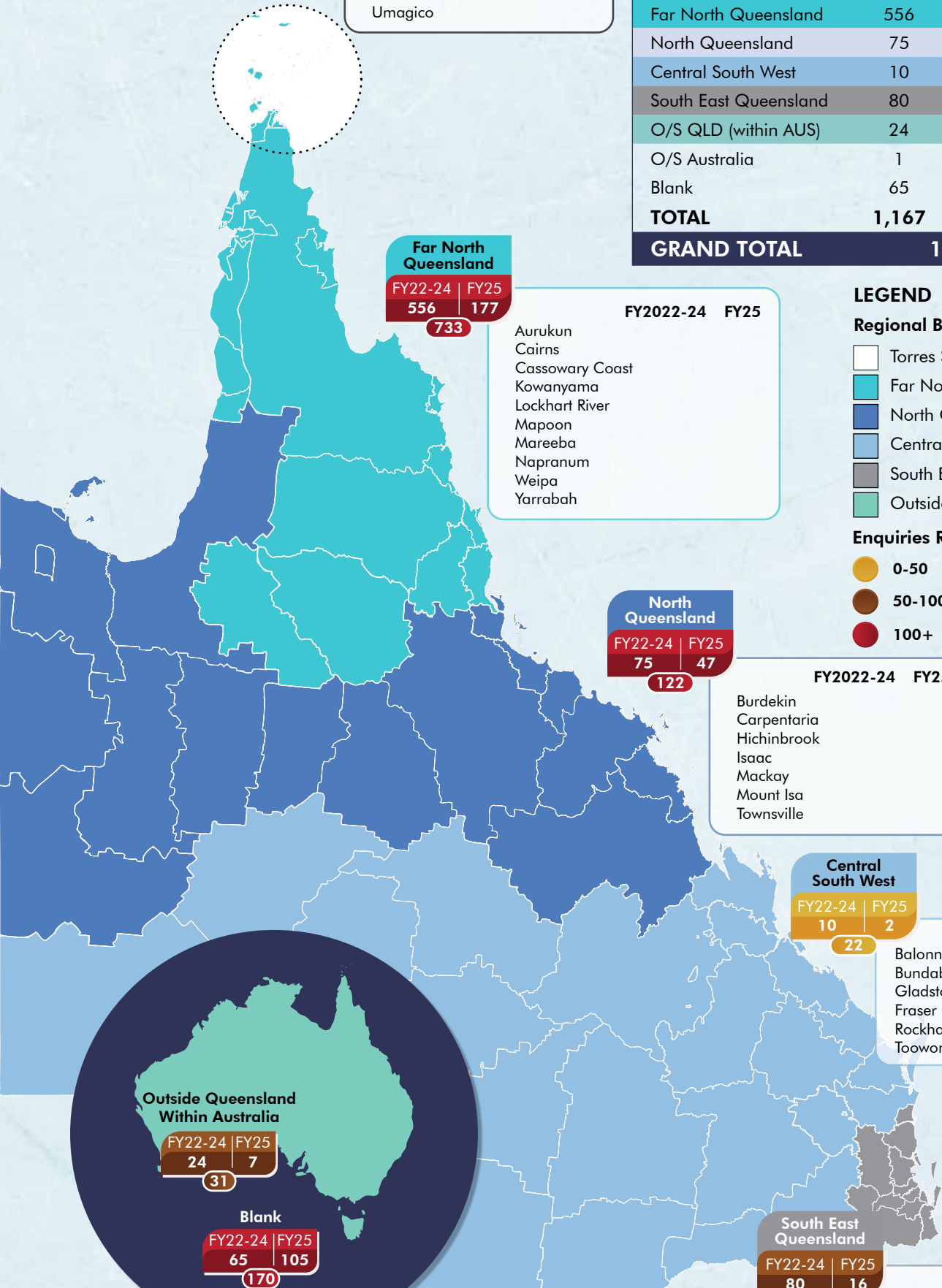
LEGEND

Regional Boundaries

- Torres Strait Islands
- Far North Queensland
- North Queensland
- Central South West
- South East Queensland
- Outside Queensland (within AUS)

Enquiries Received

- 0-50
- 50-100
- 100+



Enquiry Outcomes

Breakdown of enquiry types

Enquiry Types	Financial Year				Grand Total
	2021-22	2022-23	2023-24	2024-25	
Application Related	136	133	135	410	814
Application Withdrawal	19	1	19	0	39
Births, Deaths and Marriages Related	29	15	29	79	152
General	340	382	339	241	1,302
Internal Review Related	19	1	19	0	39
Legal Advice Related	48	31	48	19	146
Post Decision Information Access Related	19	1	19	0	39
Response to Further Information\ Response Request	19	1	19	0	39
Submission of Supporting Documents Without Application	19	1	19	0	39
GRAND TOTAL	648	566	646	749	2,609

Breakdown of enquiry outcomes

Enquiry Outcome Types	Financial Year				Grand Total
	2021-22	2022-23	2023-24	2024-25	
(blank)	48	28	43	161	283
Advised enquirer of ineligibility for Cultural Recognition Order due to deceased parents	6	5	7	3	21
Application materials emailed to enquirer	159	231	82	24	496
Application materials posted to enquirer	13	7	3	9	32
Enquirer advised that only a complete application can be submitted	1	2	19	41	63
Enquirer provided general information verbally	114	92	74	418	698
Enquirer referred to website for further information on Traditional Adoptions	6	2	4		12
Enquirer referred to website for general information on Meriba Omasker Kaziw Kazipa	6	42	80	1	129
Procedure for accessing information explained	7		3	5	15
Process for accessing new Birth Certificate explained	4	4	30	59	97
Process for responding to a request for further information explained	1				1
Referral to Aboriginal and Torres Strait Islander Legal Services made	2	4			6
Referral to Legal Aid Queensland made	4	8	18	27	57
Referral to Queensland Indigenous Family Violence Legal Service made	2	2	1	1	6
GRAND TOTAL	373	427	364	749	1,916

Breakdown of enquiries with enquirers requiring assistance (e.g. interpreter – CSO speaking in Yumplatok)

Note: it is expected that a number of enquiries will not have a person (enquirer) recorded due to the nature of the enquiry and/or the enquirers preference.

Assistance Types	Financial Year				Grand Total
	2021-22	2022-23	2023-24	2024-25	
Interpreter used	149	124	176	566	1,015
No interpreter used	106	306	188	183	783
GRAND TOTAL	373	430	364	749	1,798

Website and Marketing Statistics

5,794
page views

Legal recognition of Torres Strait Islander traditional child-rearing practice web pages (on the Queensland Government website) generated 5,794 page views during the last financial year.

540
total downloads

Total downloads of the 'Application for cultural recognition order'. (www.qld.gov.au/__data/assets/pdf_file/0036/488835/form-1a-application-for-cultural-recognition-order.pdf)

1,260
page views

Torres Strait Islander traditional child-rearing practice web page (on the TATSIPCA/DWATSIPM website) generated 1,260 page views during the last financial year.

2,412
users visited

2,412 users visited the ocmokk.qld.gov.au site, viewing an average of 1.63 web pages per session

6,583
page views

6,583 total page views across all OCMOKK web pages

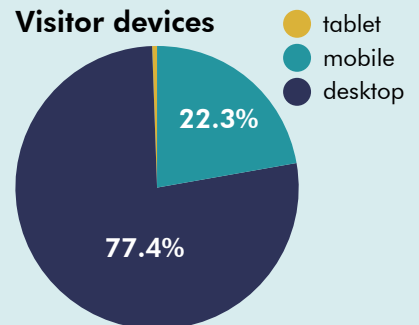
22
downloads of guidelines

22 downloads of guidelines
<https://www.ocmokk.qld.gov.au/resources/ocmokk/ockmokk-guidelines.pdf>

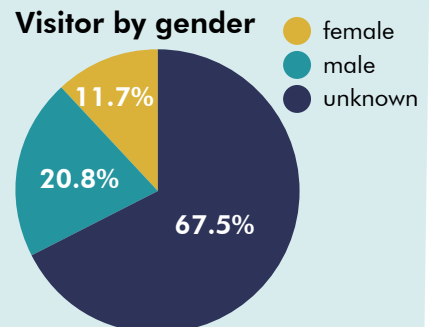


1 July 2024 – 30 June 2025

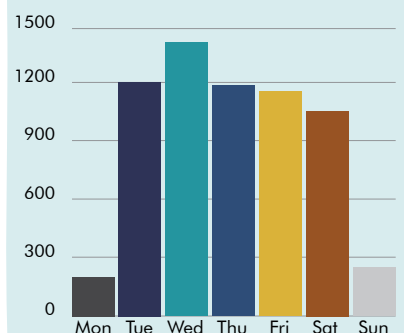
Visitor devices



Visitor by gender



Visitor views



Plus your most popular pages visited during the financial year 2024–25:

https://www.ocmokk.qld.gov.au	2,525
https://www.ocmokk.qld.gov.au/commissioner	623
https://www.ocmokk.qld.gov.au/our-journey	463
https://www.ocmokk.qld.gov.au/apply-cultural-recognition-order	459
https://www.ocmokk.qld.gov.au/contact-us	383
https://www.ocmokk.qld.gov.au/publications-resources	333
https://www.ocmokk.qld.gov.au/apply-cultural-recognition-order	201
https://www.ocmokk.qld.gov.au/commissioner-czarke-maza	192
https://www.ocmokk.qld.gov.au/our-journey	187
https://www.ocmokk.qld.gov.au/news-updates	173

The Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) continues to support Torres Strait Islander people, adults, children and families through the cultural recognition process. To further assist we are launching our new community-centred website; ocmokk.com.au

In April, the Meriba Omasker Kaziw Kazipa Advisory Group met in Townsville to pay tribute to their late member Dana Ober, whose passion and advocacy continues to inspire the work of the Advisory Group. At this meeting, the Advisory Group reflected on recent developments and celebrated the growing numbers of granted Cultural Recognition Orders.

Commissioner C'Zarke Maza said the gathering was a valuable opportunity to hear from those who help shape the work of his Office.

"Our Advisory Group members bring deep community knowledge and lived experience to the table," said Commissioner Maza.

"Their insights help ensure the cultural

recognition process stays grounded in respect, integrity and Ailan Kastom," he added.

The OCMOKK Website launched on Tuesday 27 May 2025 and allows families to easily access information and navigate the Cultural Recognition Order (CRO) application process.

"We've designed this website to be simple, welcoming, and informative; a true reflection of the values we stand for," said Commissioner Maza.

It's a space where families can find the guidance and support they need at every stage of the CRO process.

"Each CRO represents a family's love, strength and cultural identity being recognised under law," said Commissioner Maza.

"It is deeply affirming for our communities and central to the wellbeing of our children."

Families can access the new website via ocmokk.com.au



Total	Views	Active users	Views per active user	Average engagement time/active user	Event count (All events)	Key events (All events)
	1,176 100% of total	329	3.57	1m 18s	3,578	12.00
OCMOKK - Office of the Commissioner Meriba Omasker Kaziw Kazipa	481 (40.9%)	219 (66.57%)	2.20	34s	1,571 (43.91%)	0.00 (0%)
Resources - Office of the Commissioner Meriba Omasker Kaziw Kazipa	76 (6.46%)	34 (10.33%)	2.24	56s	234 (6.54%)	0.00 (0%)
Events from 24 February – 28 May – Office of the Commissioner Meriba Omasker Kaziw Kazipa	75 (6.38%)	37 (11.25%)	2.03	32s	181 (5.06%)	0.00 (0%)
How to Apply – Office of the Commissioner Meriba Omasker Kaziw Kazipa	68 (5.78%)	34 (10.33%)	2.00	56s	216 (6.04%)	0.00 (0%)
Kupai Omasker Working Party – Office of the Commissioner Meriba Omasker Kaziw Kazipa	60 (5.1%)	43 (13.07%)	1.40	36s	178 (4.97%)	0.00 (0%)
Contact Us – Office of the Commissioner Meriba Omasker Kaziw Kazipa	51 (4.34%)	25 (7.6%)	2.04	56s	150 (4.19%)	10.00 (83.33%)
Meet The Commissioner – Office of the Commissioner Meriba Omasker Kaziw Kazipa	42 (3.57%)	32 (9.73%)	1.31	23s	108 (3.02%)	0.00 (0%)
The Benefits – Office of the Commissioner Meriba Omasker Kaziw Kazipa	39 (3.32%)	34 (10.33%)	1.15	31s	119 (3.33%)	0.00 (0%)
Eligibility – Office of the Commissioner Meriba Omasker Kaziw Kazipa	32 (2.72%)	23 (6.99%)	1.39	1m 04s	89 (2.49%)	2.00 (16.67%)
Community Celebrate Milestone: 100 Granted Cultural Recognition Orders – Office of the Commissioner Meriba Omasker Kaziw Kazipa	29 (2.47%)	20 (6.08%)	1.45	21s	95 (2.66%)	0.00 (0%)

Year in Review (Highlights)



Commissioner C'Zarke Maza stamping a Cultural Recognition Order.

Milestone Achieved: 70 Cultural Recognition Orders Granted

By the end of 2024, we reached a significant milestone with the granting of 70 Cultural Recognition Orders under the Meriba Omasker Kaziw Kazipa program.

This achievement represents 70 Torres Strait Islander families whose legal identities are now aligned with their cultural identities.

This milestone reflects our continued commitment to empowering families, promoting cultural integrity, and strengthening community-led pathways to recognition. It was a proud moment to reflect on as we closed out the year.

Website Launch

On 27 May, during Reconciliation Week, we proudly launched our brand-new website, a major milestone in making our services and stories more accessible to our community.

The new site has been carefully designed to be easy to navigate, mobile-friendly, and full of updated information about our programs, events, and resources.

The redesigned site is built putting our community first. It offers:

- Fully mobile-friendly navigation and streamlined menus, making key resources like Cultural Recognition Orders, Eligibility and Application Processes, Community Visits, Media Releases, and FAQs easier to find. ocmokk.com.au
- Detailed content about how we serve families, especially through the Cultural Recognition Order process. ocmokk.com.au
- Clear information on our organizational structure: Meet the Commissioner, Cultural Support Officers, our Working Party, and the journey toward legal recognition.

In conjunction with the website launch, we shared our 2023-24 Annual Report, now available in full online. This launch is more than just a digital upgrade, it reflects our values. It helps us connect with community, provide clear information, and stay true to our commitment to listen and act with integrity. A stronger online presence means real benefits for families, culture, and everyone we support.





Honour and Recognition: Aunty Ivy Trevallion

In December 2024, The University of Queensland (UQ) conferred an Honorary Doctorate of Social Work *honoris causa* upon Aunty Ivy Trevallion, one of its pioneering graduates and a proud Torres Strait Islander woman from Dauan and Saibai Islands. This distinguished honour recognises Aunty Ivy's extraordinary contributions as a social worker, community leader, and lifelong advocate for the rights and wellbeing of Aboriginal and Torres Strait Islander peoples.

Aunty Ivy's career in social work began in 1977 through the Aboriginal Task Force at the South Australian Institute of Technology (SAIT), where she gained qualifications in community development and social work. She later enrolled in the University of Queensland's Bachelor of Social Work program, graduating in 1986 and becoming one of the University's first Torres Strait Islander graduates. Since then, she has spent more than 30 years advancing the welfare of Indigenous families, particularly in her role as a Social and Emotional

Wellbeing Counsellor based on Thursday Island, where she leads programs that support children, young people, and families across the Torres Strait.

Her legacy extends far beyond her professional practice. Aunty Ivy has played a pivotal role in advocating for the recognition and preservation of Torres Strait Islander cultural practices. As Chair of the Kupai Omasker Working Party, she guided the historic reforms that led to the passing of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* – the first legislation in Australian history to provide legal recognition of an Indigenous custom. This milestone achievement has given countless Torres Strait Islander families the opportunity to have their cultural child-rearing practices formally acknowledged under Queensland law.

In addition to this ground-breaking work, Aunty Ivy serves as a Board Member of the Healing Foundation, where she advocates for Stolen Generations survivors and their families, and as President of the Torres Strait Islander Media Association. Her leadership has been recognised widely, including being named a Queensland Great in 2021.

Reflecting on her life's work, Aunty Ivy has often credited her inspiration to the people and communities she has served:

"My greatest source of inspiration has been the people who I have met, in what circumstances and the countries and cultures they belonged to. They have all inspired me and made me work a lot harder to make sure that I am equipped to assist anybody that walks through the door."

The awarding of an Honorary Doctorate to Aunty Ivy Trevallion is a fitting tribute to her decades of tireless service, her leadership in preserving Torres Strait Islander traditions, and her unwavering pursuit of social justice. Her achievements continue to enrich the lives of Torres Strait Islander families and leave a lasting legacy for generations to come.

Professional Events

The Hatchery's Building Partnerships to Close the Gap Conference

On 17 October, the Commissioner was invited to present at The Hatchery's Building Partnerships to Close the Gap Conference in Sydney.

This event focused on fostering collaboration and innovative solutions to address the disparities faced by Aboriginal and Torres Strait Islander communities.

The Commissioner contributed to important discussions on the role of meaningful partnerships that can drive real change and improve outcomes.



Mr C'Zarke Maza and Bronwyn Penrith



Back L-R: Sean Taylor and Commissioner C'Zarke Maza | Front L-R: Chi Chi Fujii, Ena Davis, Vinnitta Mosby and Atai Sam. Photo by Kantasha Takai

5th National Indigenous Empowerment Summit

Commissioner C'Zarke Maza attended the 5th National Indigenous Empowerment Summit, a national gathering focused on strengthening First Nations leadership, connection, and empowerment.

At the summit, the Commissioner delivered a moving presentation on the importance of recognising traditional customs in western systems to protect the cultural protocols and identities of First Nations people.

The Commissioner also had the opportunity to meet with respected Aboriginal Elder Shane Clarke, Director of Bunerong Land Council.



Commissioner C'Zarke Maza and Shane Clarke, Director of Bunerong Land Council

Bandarran Marra'Gu Gathering Strength Summit 2025

On 19 and 20 May 2025, Commissioner C'Zarke Maza attended the Bandarran Marra'Gu Gathering Strength Summit held at the State Library of Queensland in Brisbane.



📷 Left: Photo by Lewis Bin Doraho. Top right L-R: Katie Kiss, Aboriginal and Torres Strait Islander Social Justice Commissioner, Haylene Grogan, Chief First Nations Health Officer and Commissioner Maza. Bottom right L-R: Dr Jackie Huggins, Dr Gracelyn Smallwood and Joann Schmider.

Commissioner Maza hosts the 2025 Mabo Oration

The Mabo Oration is a biennial event presented by the Queensland Human Rights Commission in partnership with the Queensland Performing Arts Centre (QPAC). The Oration pays tribute to Eddie Koiki Mabo and the landmark High Court decision that bears his name, which legally recognised the traditional custodianship of Country held by Aboriginal and Torres Strait Islander peoples for thousands of years prior to colonisation.

In 2025, the Oration marked its 20th anniversary and, for the first time, was held in Gimuy / Cairns at the Cairns Performing Arts Centre.

On 30 May 2025, Commissioner C'Zarke Maza – had the privilege of hosting the event, which

featured keynote speaker Katie Kiss, Aboriginal and Torres Strait Islander Social Justice Commissioner at the Australian Human Rights Commission (AHRC). Ms Kiss delivered her address, “One Land – Two Laws – It’s Black and White”, to a full audience.

The celebration was further enriched by a compelling performance from the Gerib Sik Mer Island dance troupe and addresses from Scott McDougall, Queensland Human Rights Commissioner and other prominent speakers. Of note, Gail Mabo, daughter of Eddie Koiki Mabo, shared her reflections on her father’s legacy and its lasting impact.

Commissioner Maza’s role in hosting this historic event highlighted the ongoing significance of the Mabo decision and the importance of honouring Torres Strait Islander leadership, resilience, and cultural heritage.



📷 Left L-R Commissioner Maza, Gail Mabo, Commissioner McDougall, Commissioner Kiss, Rachael Healy, CEO of QPAC. Right Gerib Sik Mer Island dance troupe.

Special Events



Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) Cultural Support Officer Karen Keane (left) with members of the March Interagency Meeting.

Interagency Meeting on Waiben

In March, Commissioner C'Zarke Maza attended the Thursday Island Interagency Group Meeting. The priority focus of Interagency Meetings is for workers from local, state, and federal government agencies, the non-government sector, and private sector to meet, discuss local issues, develop more cohesive networks and strengthen interagency partnerships, which will enhance social and economic well-being for residents of the Torres Strait region.

On 30 April, Office of the Commissioner Meriba

Omasker Kaziw Kazipa (OCMOKK) Cultural Support Officers Shanice Havili and Karen Keane also attended the Thursday Island Interagency Meeting. Their participation provided an opportunity to connect with local services, share program updates, and continue building strong relationships to support families across the region.

These ongoing engagements are a vital part of OCMOKK's efforts to remain embedded in community conversations and ensure culturally responsive support for our people.



International Women's Day in Waiben

Our Waiben-based Cultural Support Officers were honoured to attend an International Women's Day afternoon tea on Waiben, joining local women leaders, Elders, and community members in celebration.

The event provided an opportunity to connect, reflect, and recognise the vital contributions women make to our communities across the Torres Strait.

Back L-R: Karen Keane, Darlene Fell, Belinda Carstein, Gail Majid, Marita Sagigi, Pauline Ahwang, Roberta Mills | Front L-R: Raphaela Pearson, Rebecca Matthew, Rita Dorante, Vivian Takai, Jacinta Ten and Misako Takai

Commissioner C'Zarke Maza welcomed Ocholamero (Lamero) Orotu, Queensland Indigenous Family Violence Legal Service Lawyer, to the Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) on Thursday Island.

L-R Ocholamero (Lamero) Orotu, QIFVLS lawyer and Commissioner Maza



Commissioner C’Zarke Maza welcomed Mayor Phillemon Mosby, Torres Strait Island Regional Council, and Mayor Elsie Seriat OAM, Torres Shire Council to the Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) in Cairns.

It was an opportunity to share updates, strengthen relationships, and reflect on the progress being made through the Cultural Recognition Order process.



📷 L-R: Mayor Seriat, Commissioner Maza, Mayor Mosby

Survival Day Knockouts

In January 2025, our Cultural Support Officers Shanice, Kare, and Kiri, alongside Administration Officer Taryan, proudly represented the Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) at the Survival Day Knockouts held at Jones Park in Gimuy (Cairns).

The team hosted an information stall, engaging with Torres Strait Islander families and local services to share resources and answer questions about the Cultural Recognition Order process.

These outreach efforts are part of our ongoing commitment to raising awareness and supporting Zenadth Kes pamleh in navigating legal recognition pathways that reflect their cultural identities.



📷 L-R: Karen Keane & Shanice Havili.

Connecting the Dots Through Culture on Waiben

The Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) was proud to participate in the Connecting the Dots Through Culture event held on Waiben (Thursday Island).

Cultural Support Officers Karen Keane and Shanice Havili shared powerful knowledge about Meriba Omasker Kaziw Kazipa traditional child-rearing practices with visiting Queensland Kindy Teachers.



📷 OCMOKK Cultural Support Officers Shanice Havili and Karen Keane with Queensland Kindy Teachers as part of a tour with Cecilia See Kee from Connecting the Dots.



Service Highlights

Mabuiag

November 2024



OCMOKK Cultural Support Officers Kiri Harris, Godfrey Bero and Shanice Havili with Director Maria Dorante.

Murray

18-19 December 2024



OCMOKK Cultural Support Officers Godfrey Bero, Shanice Havili and Karen Keane on Mer.

Mackay

20-24 January 2025



OCMOKK Cultural Support Officers host a Community Engagement session at Kem Kem Yanga in Mackay with Aunty Marilda Christian.

Bamaga

19 February 2025



Bamaga & Seisia communities.

Boigu

24-27 February 2025



OCMOKK Cultural Support Officers Karen Keane, Shanice Havili & Kiri Harris with Team Member Amanda Lui.

Erub

10-11 March 2025



OCMOKK Cultural Support Officers Karen Keane and Shanice Havili with Erub Erwer Uteb Head of Campus Kym Kocsis.

Ugar

24 March 2025



OCMOKK Cultural Support Officers Shanice Havili and Karen Keane travel to Ugar.

NPA (Seisia)

17 March 2025



Dauan

25-27 March 2025



Iama (C'Zarke Maza)

8 April 2025



OCMOKK Cultural Support Officer Kiri Harris with Commissioner C'Zarke Maza.

OCMOKK visits Townsville



Father Elmo Tapim, Francis Tapim & Salome Tapim (standing).



Cultural Support Officers Kiri Harris, Karri Kaine, Shanice Havill & Geoffrey Iloro.

STORY AND PICS BY ALF WILSON

Torres Strait Islander child-rearing practices, or *Alan Kastom* – the practice of gifting children within Torres Strait Islander kinship structures – is an ancient custom predating colonisation and families have been consulted about it during a series of community visits during the year.

Office of the Commissioner Meriba Omasker Kaziw Kaziwa (OCMOKK) staff have travelled throughout Zetshah Kaa, Northern Peninsula Region Area and mainland Queensland to host information sessions with Torres Strait Islander elders, families and communities.

The sessions have helped to explain the Cultural Recognition Order application process and offered consultations with Cultural Support Officers as well as referrals to legal support.

The last community visit for 2024 was to Mer in the Torres Strait from 17 - 19 December but the second last was in Townsville from 8 - 12.

The *Torres News* was invited and saw Cultural Support Officers Kiri Harris, Karri Kaine,

Shanice Havill and Geoffrey Iloro hand at work.

There was also OCMOKK Program Support Office Director Maria Doran.

With them were Father Elmo Tapim, Uncle Francis Tapim and Salome Tapim.

"The support of Torres Strait Islander elders is critical for the work we do with families, and it is important that our elders are consulted and informed that the work we do is administrative only and does not interfere with cultural practice agreements," Cr Maza said.

"From the start of this year we have hosted 80 information sessions, engaged with over 3000 Torres Strait Islander and supported 40 new Cultural Recognition Order applications, bringing our total number to 69 granted Cultural Recognition Orders.

"This team of young Torres Strait Islanders take great pride in being able to help families to complete an application and from January 2025, they will be back to continue this vital work."

He said, "Togeth, we are securing our future."

"The Meriba Omasker Kaziw Kaziwa



OCMOKK Program Support Office Director Maria Doran.

Act is a profound affirmation of Torres Strait Islander culture, safeguarding traditions for future generations," he said.

"It ensures that the identity, safety, and cultural heritage of children are protected while celebrating the resilience and unity of Torres Strait Islander families."

Mr Maza said the history of Torres Strait Islander child-rearing practices was of paramount importance, as was the safety and well-being of children.

"Children are never lost to the family of origin, as they have usually been placed with relatives somewhere in the family network.

"The Act recognises Alan Kastom child-rearing practice and establishes a process for Torres Strait Islander families to make application to recognise Alan Kastom agreements between both parents (giving parents) and cultural (receiving parents) parents, where the parental rights and responsibilities for a child are permanently transferred from the birth to cultural parents."

The Act embraced six key Alan Kastom beliefs:

1. Alan Kastom's Importance: Recognising its significance for Torres Strait Islanders.
2. Ancient Cultural Practice: Affirming its integral and enduring role within the Torres Strait Islander community.
3. Historical Continuity: Acknowledging its unbroken practice within the Torres Strait.
4. Cultural Survival: Emphasising its role in maintaining spiritual and social connections to land and sea and ensuring

the survival of their culture.

5. Legal Protection: Ensuring Queensland laws safeguard the rights, interests, and responsibilities of Torres Strait Islanders who are tied to this Alan Kastom child-rearing practice.

6. Identity Alignment: Allowing children raised in accordance with Alan Kastom to have their legal identity reflect their cultural identity.

The *Meriba Omasker Kaziw Kaziwa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, the first of its kind in Australia and Queensland, was a journey of 30-plus years and bore testament to what was possible when persons from distinct cultural societies opened in union to resolve remedies to address structural inequity and social injustice.

Meriba Omasker Kaziw Kaziwa translated to 'For our Children's Children'.

Contact Information
Torres Strait Islander families who have questions about our service are encouraged to reach out on 1800 571 102 or visit ocmokk.qld.gov.au

Aunty Ivy awarded Honorary Doctorate

BY CHRISTINE HOWES

The University of Queensland has conferred its highest honour on one of UQ's first Torres Strait Islander graduates, Aunty Ivy Trevallion, who has been recognised with an Honorary Doctorate as part of the 2024 end-of-year graduations.

UQ Vice-Chancellor Professor Deborah Terry AC said Mrs Trevallion "thoroughly deserved the accolade.

"Honorary Doctorates celebrate exceptional individuals for their achievements and contributions, whether that be through their careers or personal endeavours," Professor Terry said.

"There is no doubt that our latest recipients have created lasting impact in the world through social justice and advocacy, economics and policy reform, and the written word.

"It is a pleasure for us to celebrate them and their achievements in this way."

Ivy said she was "excited, happy and proud".

"I'm very happy, it's interesting and I don't know what to do," she said.

"I think I'm still stunned."

Meriba Omasker Kaziw Kaziwa Commissioner C'Zarke Maza said it was well-deserved.

"This is well-deserved recognition of Aunty Ivy's extensive contributions to the advocacy of Indigenous customs and community wellbeing, specifically her tireless work in securing the passage of the *Meriba Omasker Kaziw Kaziwa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*," Mr Maza said.

BIO: Aunty Ivy is a highly regarded social worker and community

leader who has dedicated more than 30 years to advocating for Indigenous rights and well-being.

She graduated with a Bachelor of Social Work in 1986, becoming one of UQ's first Torres Strait Islander graduates and was instrumental in the passing of the *Meriba Omasker Kaziw Kaziwa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, the first in Australian history to legally recognise a traditional custom.

From Dauan and Saibai Islands, she is currently working as a social and emotional wellbeing counsellor on Thursday Island and the Torres Strait.

"An Honorary Doctorate is not a qualification under the Australian Qualifications Framework and does not entitle the recipient to use the title 'Doctor' or 'Dr'.



Vice-Chancellor and President Professor Deborah Terry AC, Deputy Vice-Chancellor (Indigenous Engagement) Professor Bronwyn Fredericks, Aunty Ivy Trevallion, Associate Dean (Indigenous Engagement), Faculty of Humanities Arts and Social Sciences Associate Professor Stephanie Gilbert, and Chancellor Peter N Varghese AO. PIC supplied.

Cultural Recognition Orders streamlined



LEFT: OCMOKK Carve Office Team with Commissioner C'Zarke Maza (center). RIGHT: OCMOKK Thursday Island Staff



BY SHANTENIA TAMAI

The Office of the Commissioner Meriba Omasker Kaziw Kaziwa (OCMOKK) celebrated its third year of operation with the successful completion of 69 Cultural Recognition Orders, made possible through ongoing improvements to the *Meriba Omasker Kaziw Kaziwa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*.

OCMOKK has achieved significant milestones in its third year of operation, including the successful completion of 69 Cultural Recognition Orders, made possible through ongoing improvements to the *Meriba Omasker Kaziw Kaziwa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*.

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06 NEWS

THURSDAY 20 MARCH 2025 TORRES NEWS



Cultural Support Officer Kim Harris, Kuaiti Consultant Working Party Member Uchis Belis Lawin, Cultural Support Officer Karen Keane, Terry Watson, Cultural Support Officer Geoffrey Bess, Barry Watson, Commissioner C'Carle Maa LL.M and Executive Assistant Taran Kapa in Woodlodge, Brisbane. PICS supplied

Families take up opportunities to hear about cultural recognition order applications

8 families across several Queensland communities have taken the chance to discuss the Cultural Recognition Order application process with Cultural Support Officers from the Office of the Commissioner Morisa Omasere Kaitie Kaitie (OCMOCK) already this year.

Mackay, Woodlodge, Sarba, Ingha, TFR, and the Northern Peninsula Area (NPA) were among the first communities on the list to attend.

Upcoming visits were also scheduled in March for Parama, Ugar and Etaha, where more families would be able to access much-needed support.

These upcoming 30 general Cultural Recognition Order applications in 2024. As Program Support Officer Omasere said, "It's important to ensure families understand the process and what they need to do to apply for Cultural Recognition Orders as they would to."

Morisa Omasere Kaitie Kaitie, Commissioner of the OCMOCK, said that the visits were an essential part of guiding families through the application process.

"This also allows

practical information, as we are respectful and respectful that it is practical diversity and family in family," Mr Maa said.

"Therefore, being available in communities to support families in their application process is crucial, as it can often be challenging to navigate the legislative and requirements of Western law."

"I'm proud to see Kuaiti Cultural Support Officers take great pride in being able to help our families, and protect the sensitive nature of the practice," The Justice Minister Kaitie Kaitie

(Torres Strait Islands Traditional Chief Ruying Prudhoe) last 2020, the face of island in Australia and Queensland, was a member of 30 plus years and have returned to what was possible when programs from British colonial market operated in secret to reduce structural racism and social inequality.

"It's good to see our Cultural Support Officers, we further the vision of the Kuaiti (Kaitie) Working Party and any receiving a letter for our children's children," Mr Maa said.

A Cultural Recognition Order provides information, an opportunity to meet our team at community events, could reach our via 1300 571 022 or email off@ocmook.qlld.gov.au

March visits:

- 24 March - Ugar Community
- 25-27 March - Etaha Community Children's
- 26 March - Parama Community



Cultural Support Officers Amanda Lal, Kit Halls and Shantia Halls with Karen Keane in Sarba.

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Cultural Support Officers Karen Keane, Geoffrey Bess and Shantia Halls in Sarba.



Cultural Support Officers Geoffrey Bess and Shantia Halls walking to community in Sarba.



Strengthening traditional adoption connections on Ima



Tribute and website launch



Values shared in community collaboration

L-R: Thomas Fujii, Rashae King, Nancy Hooper, Charleejah Viti, Shanice Havili, Karen Keane, Natasha Fujii and Tai Nomoa.

The Act

The *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020 (the Act)* was passed by the Queensland Legislative Assembly on 8 September 2020 and received assent on 14 September 2020. The Act commenced on 1 July 2021, with earlier provisions allowing for the appointment of the Commissioner on 1 April 2021 and the establishment of the Office of the Commissioner on 17 August 2021.

Separate to the Act, the former Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships initially established the Meriba Omasker Kaziw Kazipa Program Support Office to assist with implementation. The Program Support Office was officially established and staffed on 4 January 2022, providing operational and policy support to ensure a smooth transition to full delivery.

The Act is the first legislation of its kind in Australia to provide legal recognition of Torres Strait Islander traditional child-rearing practices, known as Ailan Kastom. It enables Torres Strait Islander people to apply for a **Cultural Recognition Order (CRO)**, which provides a permanent legal transfer of parentage from biological parents to Cultural Parents. The framework was designed to be voluntary, affordable, accessible, culturally safe, and confidential. Importantly, section 102 of the Act protects sensitive cultural information, ensuring applicants are not required to disclose details of practices that are considered secret or sacred.

Now in its fourth year of operation, the Act is delivering on its intended purpose. The granting of CROs has provided Torres Strait Islander families with legal certainty of parentage, strengthening continuity of identity, cultural connection, and recognition of upbringing in accordance with Ailan Kastom. These outcomes represent a significant transformation in the lives of Torres Strait Islander people and demonstrate the role of the Act in advancing commitments under **Closing the Gap**, particularly:

Target 12: reducing the overrepresentation of Aboriginal and Torres Strait Islander children in the child protection system.

Target 16: strengthening and empowering cultures through formal recognition of cultural authority.

The Act also carries symbolic and historical importance. It is the first legislation in Queensland, and in Australia, to incorporate Torres Strait Islander traditional language in its legislative title. In doing so, it acknowledges the enduring authority of Torres Strait Islander law and custom alongside western legal systems.

The establishment of an independent Commissioner and the Office of the Commissioner has provided a transparent and accountable mechanism for implementing the Act, with the Commissioner empowered to issue CROs based on the informed and voluntary consent of all parties.

Since the implementation phase of the Act, the first four years of have demonstrated strong demand and effective operation of the framework. In the 2024–25 financial year, **96 applications** were either received or carried over from the previous year. Approximately **80 per cent of these were complex applications** requiring consideration of dispensation orders. Of the 96 applications:

- **59 (61 per cent) were resolved**, comprising 55 granted, three refused, and one withdrawn.

The majority were finalised within statutory timeframes, reflecting the accessibility of the process and the effectiveness of administrative and cultural support arrangements.

As required by legislation, a statutory review of the Act was conducted and finalised in May 2024. The review confirmed that the Act is operating as intended and provided **64 recommendations** for legislative and operational improvements. While a number of operational and procedural enhancements have already been implemented, the Office is awaiting a formal government response, which will inform the final review report before it is tabled in Parliament.

Looking ahead, the review process presents a critical opportunity to refine and strengthen the Act. The next stage will focus on ensuring the framework continues to transform lives, provides certainty and clarity for the Office of the Commissioner, upholds Torres Strait Islander cultural authority, and delivers outcomes that align with the Closing the Gap targets.

The key elements are outlined below:

The below information is subject to change based upon the Legislative Review Report.

ELIGIBILITY

There are preliminary criteria including that:

- One or both of the Birth Parents and one or both of the Cultural Parents are of Torres Strait Islander descent
- The child's birth was registered in Queensland
- The Cultural Practice has occurred.

APPLICATION

In making an application:

- For a child, the application is made by the Birth and Cultural Parents.
 - For an adult, the application is made by the adult.
 - The application is required to include:
 - Statements from the Birth Parents, Cultural Parents (and where an adult, the subject of an application for an order is the applicant, a statement by the adult.)
 - That the applicants understand the permanent and lasting effect of making an order for legal recognition.
 - If applicable, the informed consent of an 'other carer' (a person with legal decision-making responsibility for the child) to the application being made
 - Statements from persons with knowledge and understanding of the Cultural Practice (informed persons) nominated by each of the Birth Parents and Cultural Parents to verify that the Cultural Practice occurred
- Parties will be given the opportunity to seek legal advice on the consequences of legal recognition.

CONSIDERATION BY THE COMMISSIONER

The Commissioner considers the application and must be satisfied that the following requirements have been met before granting legal recognition:

- Full, free and informed consent to legal recognition has been provided by the Birth and Cultural Parents and, if applicable, the other carers
- That the making of the order is for the well being and best interests of the child
- That the transfer of parentage occurred in accordance with Ailan Kastom child-rearing practice
- That each applicant was entitled to apply
- That the requirements for the applicant are met
- That each applicant has provided the required information or statement.

In deciding what is for the wellbeing and best interest of a person who is the subject of an application, the Act sets out a number of other principles the Commissioner must have regard to. For example:

- The need to ensure appropriate recognition and preservation of Ailan Kastom in general and Ailan Kastom child-rearing practice in particular:
 - The need to perform the powers and functions under this Act having regard to the sensitivity and cultural practices associated with Ailan Kastom child-rearing practice
 - The legal and cultural benefits for the child if the cultural recognition order is made recognising Ailan Kastom child-rearing practices
 - Recognition of the birth parents' assessment of the sustainability of the culture parents
 - Decisions must be made in the fair, timely and consistent manner and
 - Any other matter that is directly related to the child's wellbeing and best interests.

DECISION

*check with new applicant process

The Commissioner considers the application and must be satisfied that the following requirements have been met before granting legal recognition:

- Full, free and informed consent to legal recognition has been provided by the Birth and Cultural Parents and, if applicable, the other carers
- That the making of the order is for the wellbeing and best interests of the child
- That the transfer of parentage occurred in accordance with Ailan Kastom child-rearing practice
- That each applicant was entitled to apply
- That the requirements for the application are met
- That each applicant has provided the required information or statement.

NOTICE OF INTENTION

Before deciding not to make a Cultural Recognition Order, the Commissioner must give the applicants an opportunity to respond to a notice of intention.

The notice is to include the proposed decision, the reasons for the proposed decision and that the applicants may provide further information to the Commissioner in support of the making of an order.

RIGHT OF REVIEW

If the applicants are not satisfied with the Commissioner's decision not to make a Cultural Recognition Order the Act provides that an applicant may seek an internal review of the decision.

The Minister appoints a review officer to consider the application, review the Commissioner's decision and make decision to:

- Confirm the Commissioner's decision or
- Revoke the Commissioner's decision and make a Cultural Recognition Order.

Applicants may also be able to seek a judicial review of the Commissioner's decision. An application for judicial review is made under the *Judicial Review Act 1991*.

NEW RECORD

Following the making of a Cultural Recognition Order, the Commissioner notifies the Registrar of Births, Deaths and Marriages, as soon as practicable.

Once received, the Registrar of Births, Deaths and Marriages will register the transfer of parentage issuing the new record for the child and the original birth record is closed. The Registrar will close the original birth entry, reflective of the child's birth identity, and note a reference regarding the transfer of parentage registration on the birth entry, and a reference regarding the closed birth entry on the Cultural Recognition registrar.

There will be no notation about the closed entry on the new birth certificate to ensure consistency with the sacred nature of the custom.

OTHER ELEMENTS OF THE ACT DISPENSATION OF CONSENT

There may be circumstances where consent cannot be established, for example:

- Applicants cannot locate the relevant parents after making all reasonable enquiries
- There would be an unacceptable risk of harm to the Birth Mother if the relevant parent was made aware of the application for legal recognition.

To address this, the Act provides an avenue for an applicant to make an application to the Children's Court to dispense with a person's consent.

IMPAIRED CAPACITY

There may be circumstances where a parent or adult is the subject of the application and has impaired capacity. The Act provides that a decision maker must ensure that an adult with impaired capacity is given the support and access to information necessary to participate, to the greatest extent practicable, in the decision-making process.

DISCHARGE ORDERS

The Act provides that a Birth Parent, Cultural Parent or the adult applicant may apply to the Children's Court for an order to discharge a Cultural Recognition Order (discharge order). If the court makes the discharge order, the effect would be as if the Cultural Recognition Order had not been made.

Under the Act the grounds for a discharge order may be that the order was made:

- Because of a false or misleading document or representation
- Because a person acted fraudulently or used undue influence
- Because a person did not provide full, free and informed consent
- The order was made on some other improper basis, or
- If there are other exceptional circumstances that warrant the discharge.



The Commissioner

Commissioner Maza Reappointed

On 19 June 2025 the Office of the Commissioner (Meriba Omasker Kaziw Kazipa) was advised that the Governor in Council had approved the reappointment of Mr C'Zarke Maza as the Commissioner for the period 1 July 2025 to 30 September 2025, while a recruitment process took place. The administration of the Act had previously only been funded until June 2025. The Queensland government has committed more stable future funding until June 2029.

Minister
Minister for Women and Women's Economic Security, Minister for Aboriginal and Torres Strait Islander Partnerships, and Minister for Multiculturalism

Office of the Commissioner
(Meriba Omasker Kaziw Kazipa)

Commissioner
Office of the Commissioner
(Meriba Omasker Kaziw Kazipa)

Executive Officer (A03)
Cairns

Director General
Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism

Director (SO)

Deputy Director General
Aboriginal and Torres Strait Islander Partnerships

Manager (AO8)

Executive Director
Culture and Economic Participation

Cultural Support Officer (AO5)
Thursday Island

Cultural Support Officer (AO5)
Thursday Island

Cultural Support Officer (AO5)
Cairns

Cultural Support Officer (AO5)
Cairns

Business Support Officer (AO4)
Cairns

Office of the Commissioner (Meriba Omasker Kaziw Kazipa)



From L-R: Petero Civoniceva; Premier of Queensland, The Hon David Crisafulli MP; Minister for Aboriginal and Torres Strait Islander Partnerships The Hon Fiona Simpson MP; and Commissioner C'Zarke Maza.

Machinery of Government Changes and Appointment of a New Minister

The Office now operates in partnership with the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism, under the leadership of the Honourable Fiona Simpson MP, who was appointed to the ministry on 1 November 2024. Minister Simpson is the long-serving Member for Maroochydore, first elected in 1992, and has built a distinguished parliamentary career spanning more than three decades. She made history as the first female Speaker of the Queensland Legislative Assembly (2012 to 2015) and previously served as Deputy Leader of the Opposition. Before entering politics, Minister Simpson worked as an award-winning journalist and holds a Bachelor of Arts in Japanese, Journalism and Government, as well as a Master's in Organisational Leadership. She has also completed executive leadership studies at Harvard University's Kennedy School of Government.

In her current role, Minister Simpson is responsible for advancing the Aboriginal and Torres Strait Islander Partnerships portfolio, alongside Women and Women's Economic Security, Multiculturalism, and other areas. Her leadership continues the Department's focus on strengthening partnerships, preserving cultural heritage, developing policy, and promoting inclusion, rights, and community wellbeing across Queensland.

Our Cultural Support Team



Shanice Havili

Shanice Havili is a proud Meriam woman from Dauareb and Peibri tribes of Murray Island (Mer) in the Torres Strait. She's deeply connected to her cultural heritage and connected to her totems being nam (green sea turtle) and peibri sor (spotted eagle ray).

She was born and raised on Thursday Island, where she continues to live and work. Despite the challenges of distance, Shanice has remained committed to learning and practising her culture and traditions.

As a Cultural Support Officer based in the Thursday Island office, Shanice plays a vital role in supporting and empowering her community. Her work allows her to honour her heritage while actively contributing to the preservation of cultural practices, especially Ailan Kastom child-rearing traditions.

When not immersed in her professional duties, Shanice enjoys spending quality time with her family, dancing and fishing, all of which keep her grounded in the rich traditions of her people.

Kiri Harris

Kiri Harris is a proud Kulkalaig woman from the Kulkalgal nation, raised on Thursday Island (Waiben). Throughout her career, she has worked in various roles and organisations across Australia but always felt a strong pull to return home and contribute to her community. Becoming a Cultural Support Officer has given her the opportunity to do just that.

In this role, Kiri feels privileged to uplift her people, especially the younger generation. The heartfelt gratitude expressed by the families she assists is deeply rewarding, and their appreciation reaffirms her commitment to her work. For Kiri, the greatest joy comes from knowing she's making a meaningful difference in the lives of her community members.



Godfrey Kalimo Bero

Godfrey Kalimo Bero is a proud Zenadth Kes man of the Komet and Zagaureb tribes. His heritage is deeply rooted in the Torres Strait, with his father hailing from Mer and mother, Wug (St Pauls Village), descendants from Panay, Mabuyilgal and Mabuyag. His totems are Wanpun (Gecko), Gar (Mangrove Seed), Saigob (White Breast Frigate Bird), Nam (Turtle) and Dhangle (Dugong). He grew up in Tamwoy Town on Waiben (Thursday Island) and Koosoonsoog and Owla, Wug (St Pauls village, Moa Island).

After leaving the Torres Strait Islands at a young age to serve in the defence force, he recently returned closer to home. It has been a fulfilling experience to work and reconnect with his community. Over the past 12 months as a Cultural Support Officer, he has been privileged to listen to the stories of our families. Celebrating and recognising Torres Strait Ailan Kastom has brought him immense professional and personal fulfillment. His time with the Office of Commissioner Meriba Omaker Kazipa has deepened his understanding and appreciation of our rich culture.

Outside of work, Godfrey often spends quality time with his sons and family or engaging in his hobbies, which include boating, camping, hiking, fishing, spearfishing and hunting.



Karen Keane

Karen Keane is a proud Aboriginal and Torres Strait Islander woman, descending from the Yupungathi People from the northwest of Cape York Peninsula and the Komet Tribe of Mer Island in the Torres Strait. With over seven years of experience in the legal sector, Karen has worked extensively with Aboriginal and Torres Strait Islander families and has a strong commitment to advocating for First Nations peoples. Karen is deeply passionate about ensuring that her people can understand and navigate Western legal and institutional systems. She strives to bridge the gap between Indigenous and Western (Kole) languages, empowering communities with the knowledge to fully comprehend what is being said and done in legal and procedural contexts.



Cultural Recognition Order

The Act establishes a formal procedure for Torres Strait Islander families to seek legal recognition of their traditional child-rearing practices. When families apply for legal recognition, their requests will be reviewed by the Commissioner, who will determine whether to issue a Cultural Recognition Order.

A Cultural Recognition Order (CRO) permanently transfers a person's parentage from their Birth Parents to their Cultural Parents. Following this, individuals can apply for a new birth certificate through the Births, Deaths, and Marriage's registration process.

The sensitive and confidential nature of Ailan Kastom child-rearing practices is crucial. The Act does not require applicants to disclose specific details about the practice during the application process. Additionally, the Act includes provisions to safeguard the confidentiality of information deemed secret or sacred, as outlined in section 102 of the

Act. The legal recognition framework is designed to be affordable, accessible, culturally sensitive, and confidential. It operates on an opt-in basis, relying on consent and voluntary participation.

It is imperative to clarify that the Act's intent, in considering an application for a Cultural Recognition Order, is not to interfere with existing Ailan Kastom child-rearing practice arrangements. Rather, the Act seeks to assess whether issuing a Cultural Recognition Order aligns with the subject child's wellbeing and best interests, as articulated in section 6 of the Act.

WELLBEING AND BEST INTERESTS OF A CHILD

In deciding the wellbeing and best interests of a child, who is subject to application for a CRO, the Commissioner must have regard to:

- the need to ensure appropriate recognition and preservation of Ailan Kastom in general and in particular, Ailan Kastom child-rearing practice
- the need to perform the powers and functions under the Act having regard to the sensitivity and Cultural Practices associated with Ailan Kastom child-rearing practice
- the legal and cultural benefits if a CRO is made
- recognition of the Birth Parents' assessment of the suitability of the Cultural Parents
- decisions being made in a fair, timely and consistent manner
- any other matter that is directly related to the child's wellbeing and best interests.

Guidance note

Contemporary principles of best interests of children are best known from the United Nations Convention of the Rights of the Child 1989. In the context of CROs, consideration of best interest principles must relate to the consequences of legal recognition and whether the legal recognition is in the best interests of the person. The Commissioner's role does not include managing or interfering with cultural practice, living arrangements determined by the family or making an assessment about the suitability of the Cultural Parents. Therefore, considerations of best interests must be in the context of whether the legal recognition and the consequences of that recognition are in the child's best interests throughout their entire life including adulthood.

WELLBEING AND BEST INTERESTS OF AN ADULT

In deciding what is in the wellbeing and best interest of an adult who is subject to application for a CRO, the Commissioner must have regard to:

- the need to ensure appropriate recognition and preservation of Ailan Kastom in general and, in particular, Ailan Kastom child-rearing practice
- the need to perform the powers and functions under the Act having regard to the sensitivity and Cultural Practices associated with Ailan Kastom child-rearing practice
- decisions being made in a fair, timely and consistent manner
- the legal and cultural benefits for the adult if the CRO is made recognising Ailan Kastom child-rearing practice.

Guidance note

The considerations that the Commissioner must have are not exhaustive. Additionally, they do not restrict or limit the Commissioner from having regard to other matters in deciding the best interests of the person an application relates to.



This process is life-changing for Torres Strait Islander families and their children.

Other benefits include:

- Cultural Parents and their child/children are not unduly exposed to inappropriate disclosure that the practice has occurred and any associated trauma or grief is avoidable
- Cultural Parents and their child/children can be legally enrolled/registered with authentic identification documents
- Cultural Parents' assurance that their child/children are legally recognised with all the same rights as a biological child/children
- This process is life changing for Torres Strait Islander families and their children.

DIVISION 2 s35 (h), s36 (j), s39 (b) – CONSENT

All parties (Birth Parent's, Cultural Parent's, Other Carer(s)) to a Cultural Recognition Order application must provide free, prior and informed consent to an application being submitted. The Act defines informed consent of a person as:

- (a) the person has capacity to consent; and
- (b) the consent is given freely and voluntarily.

Named parties to an application consent is required to:

- agree to a Cultural Recognition Order application being made
- recording of personal information (name, address and contact details)
- obtaining statements relating to Ailan Kastom child-rearing practice
- making of inquiries
- exchanging of information
- obtaining cultural parent(s) criminal history

The application process for legal recognition of traditional child-rearing practice is an opt-in consent-based system. In the absence of free, prior and informed consent a

- The Court can reverse a Cultural Recognition Order.
- Consent is provided in the form of a signed statement.

- A signed statement is where a section of the application form is filled out by the relevant party and then signed by the party. This signature needs to be witnessed by an authorised person (refer to 2.4.3).
- The Commissioner cannot progress an application if a required party is refusing to provide consent.
- There are some circumstances where the Court may declare that the consent of a certain party is not required for the application for a Cultural Recognition Order to be considered (s47-55, Division 3 Dispensing with a person's consent)
- If only one Birth Parent or one Cultural Parent is living and they consent to the application, the application can be submitted for the Commissioner's Consideration.
- It is recommended that all parties obtain independent legal advice if there are issues about consent.
- Legal Aid Queensland, Aboriginal Torres Strait Islander Legal Services and Queensland Indigenous Family Violence Legal Services offer free legal advice.
- Where orders such as final adoption orders exist, other carer's are also considered a party to the application.

In order for the Commissioner (Meriba Omasker Kaziw Kazipa) (the Commissioner) to consider an application for a Cultural Recognition Order, both Birth Parents, Cultural Parents, and other carer(s) must provide full, free and informed consent when making the application. Use of undue influence on another person to gain consent is a ground for a Court to discharge (cancel or withdraw the legal effect of an order) the Cultural Recognition Order.

DISPENSATION ORDER


Dispensation of consent – (s48) The application for a CRO is consent based and can only be considered or decided if the Commissioner is satisfied that all required parties have given full, free and informed consent to the making of the application and the order being made. However, the Act recognises that there may be circumstances where the consent of a party may be unable to be obtained. A process is available under the Act to allow for applicants to apply to a court for an order dispensing with the need for the consent of that person.

The Act provides that these applications must be made to the Children Court constituted by a Children's Court judge, under the *Childrens Court Act 1992 (Qld)*.



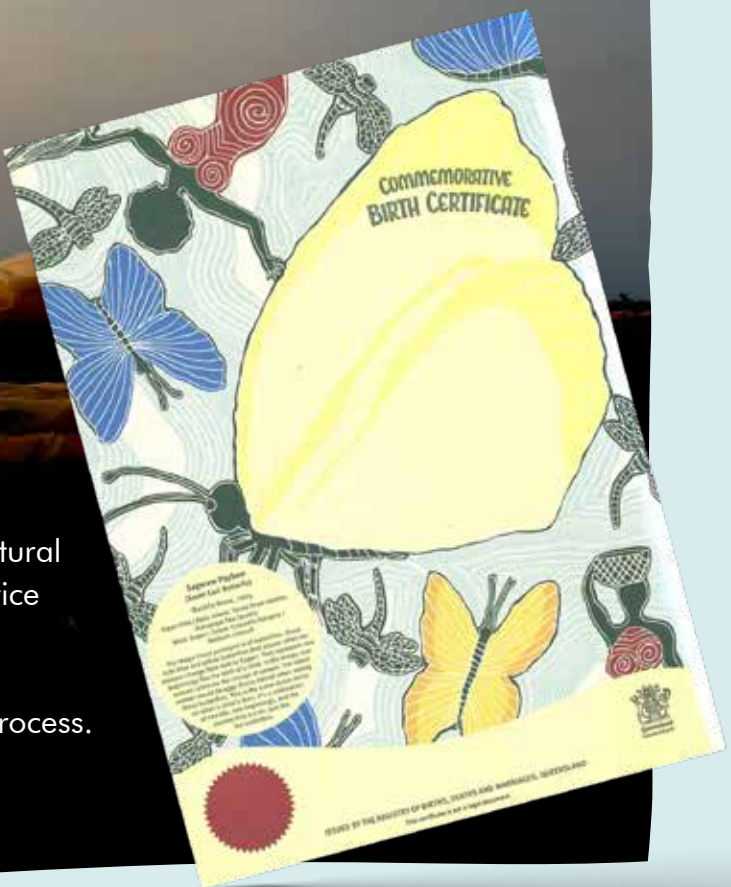
Need help?

If you need help with an Application for a Cultural Recognition Order, general enquiries and advice bookings, call our office on

 **1800 571 102**

(free call) we'll assist you through the whole process.

 **www.ocmokk.qld.gov.au**



Partnerships

Partnerships and Collaborative Relationships

The Office of the Commissioner Meriba Omasker Kaziw Kazipa (OCMOKK) continues to maintain and strengthen its partnerships with key agencies to ensure the effective administration of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Child Rearing Practice) Act 2020* (the Act). Two of our most

significant and enduring partnerships are with Legal Aid Queensland (LAQ) and the Queensland Registry of Births, Deaths and Marriages (RBDM). These collaborations are central to delivering a culturally respectful, legally sound, and administratively efficient Cultural Recognition Order (CRO) process.

Partnership with Legal Aid Queensland

Legal Aid Queensland is a critical partner in ensuring that applicants, Birth Parents and Cultural Parents have access to independent legal advice and representation throughout the CRO process. This partnership recognises that while the Act is culturally specific, it operates within the broader Queensland legal framework, and applicants may require guidance to navigate the intersection between cultural protocols and legal procedures.

LAQ provides:

Specialist legal advice for applicants, birth parents, cultural parents, and other relevant parties, ensuring they understand their rights and responsibilities under the Act.

Representation at court hearings where required, particularly in complex matters involving dispensation

order applications or intersecting family law issues.

Culturally informed service delivery, with LAQ lawyer's adept in their understanding of Torres Strait Islander traditional child-rearing practices and the sensitivities involved in the CRO process.

Regular liaison meetings between OCMOKK and LAQ ensure that legal advice services remain responsive to community needs, legislative requirements, and emerging issues. In 2024–2025, this partnership supported the delivery of timely legal assistance to applicants across Queensland, including those in remote and outer island communities. Feedback from community members consistently highlighted the value of having competent legal professionals available to navigate legal processes in plain language.

Partnership with the Registry of Births, Deaths and Marriages

The Queensland Registry of Births, Deaths and Marriages (RBDM) plays an essential role in the administrative implementation of CROs, as it is responsible for updating birth records to reflect the legal recognition of cultural parentage. The partnership between OCMOKK and RBDM ensures that once a CRO is granted by the Commissioner, the necessary amendments to the child's birth registration are processed accurately, securely, and respectfully.

Key aspects of this collaboration include:

- Direct referral processes between the Office

and RBDM to expedite the registration changes resulting from a CRO

- Joint procedural protocols to safeguard sensitive personal and cultural information while ensuring compliance with legislative requirements.

The partnership also extends to problem-solving in complex or unique cases, such as where historical records require correction or where birth registration complexities arise. This close working relationship ensures that the legal recognition provided by a CRO is translated into accurate, official documentation for families without unnecessary delays.

Benefits of Collaboration

These partnerships with LAQ and RBDM demonstrate the value of inter-agency cooperation in delivering a culturally grounded statutory scheme. Through regular communication, joint planning, and shared problem-solving, the Commissioner's Office has been able to:

- Reduce processing times for CRO applications and related birth registration and birth certificate changes.
- Ensure applicants have ready access to high-quality legal advice and representation.
- Strengthen community trust in the CRO process by demonstrating cultural respect and procedural fairness at every stage.



Looking Ahead

In 2025-26, OCMOKK will continue to work closely with LAQ and RBDM to enhance these partnerships. Priorities for the coming year include exploring options for:

- Expanding community outreach initiatives with LAQ to increase awareness of legal support for CRO applications.
- Enhancing and streamline information sharing between OCMOKK and RBDM while maintaining privacy safeguards.
- Conducting joint professional development activities to further embed cultural competence across partner agencies.

By continuing to invest in these collaborative relationships, the Office of the Commissioner will ensure that the CRO process remains accessible, efficient, and culturally appropriate, honouring the intent of the Act and the cultural authority of Torres Strait Islander child-rearing practice.



Legislative Review Report

In 2023, the Queensland Government engaged Tagai Management Consultants to undertake a comprehensive review of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* (the Act). The purpose of this review was to evaluate the operation of the Act, assess whether it is meeting its intended objectives, and identify opportunities for improvement across legislative, operational, and administrative areas.

The review formed part of the legislated requirement to examine the Act's effectiveness within two years of commencement. This process ensured that Torres Strait Islander peoples, stakeholders, service providers, and government agencies could provide input on how the Act is being implemented and whether the intended benefits are being realised in practice.

Consultation Process

To ensure a thorough and representative assessment, Tagai Management Consultants adopted a targeted and inclusive consultation approach. Between 2023 and early 2024, a combination of surveys, in-person workshops, and online engagement activities were conducted to capture feedback from stakeholders across Queensland.

In-person workshops were held in key locations with significant Torres Strait Islander populations and relevant service networks, including:

- Townsville – a hub for Torres Strait Islander families living on the mainland, as well as service providers and legal representatives supporting them
- Mackay – a regional centre with a significant Torres Strait Islander community
- Cairns – a key northern centre for families and community organisations, and a gateway to the Torres Strait
- Thursday Island (Waiben) – the administrative and cultural centre of the Torres Strait
- Brisbane – the state capital, where government agencies, peak bodies, and legal organisations are based. Also the densest population for Torres Strait Islander families living on the mainland.

In addition to face-to-face engagement, Tagai Management Consultants facilitated online surveys to broaden participation and capture the perspectives of stakeholders who were unable to attend in-person events. This digital engagement extended the reach of the review to include service providers, advocacy organisations, and members of the Torres Strait Islander diaspora living in other regions of Queensland and interstate.



Stakeholder Input

The online and in-person consultation processes sought contributions from a diverse range of stakeholders with direct or indirect involvement in the operation of the Act. This included:

- Queensland Indigenous Family Violence Legal Service (QIFVLS) – providing input from a legal assistance and child protection advocacy perspective
- Office of the Commissioner Meriba Omasker Kaziw Kazipa – offering insights from the statutory officeholder responsible for administering the Act
- Program Support Office – contributing operational and procedural observations from within the support structure for the Commissioner's work
- Federal Circuit and Family Court of Australia – sharing experiences in relation to cross-jurisdictional matters involving Cultural Recognition Orders.

This broad stakeholder engagement ensured that the review considered both the practical realities of implementing the Act and the cultural, legal, and community-based perspectives that underpin its purpose.

Review Findings

The 2023 Review of the *Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020* was finalised by Tagai Management Consultants and provided to the Department in May 2024.

The review found that the Act is operating as intended and delivering on its central objective – to provide a legal mechanism for recognising Torres Strait Islander traditional child-rearing practice through the granting of Cultural Recognition Orders (CROs). Stakeholders consistently acknowledged the Act as a significant and culturally affirming milestone in Queensland law, representing a historic acknowledgment of Torres Strait Islander culture within the state's legal framework.

While the findings confirmed the Act's overall success in meeting its legislative purpose, the review also identified opportunities to strengthen its implementation and sustainability. In total, 64 recommendations were made, covering three broad areas:

1. Legislative amendments – to clarify certain provisions, improve procedural efficiency, and ensure ongoing cultural integrity
2. Operational improvements – to enhance service delivery, accessibility, and stakeholder engagement
3. Administrative enhancements – to strengthen governance, reporting, and support systems for the Commissioner and associated offices.

Post-Review Engagement

Following receipt of the Review Report, the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism undertook further engagement activities throughout 2024 and into early 2025 to inform the Government's response. These activities involved detailed discussions with the Meriba Omasker Kaziw Kazipa Advisory Group, which comprises Torres Strait Islander leaders and cultural advisors, and with the Commissioner Meriba Omasker Kaziw Kazipa.

The purpose of these discussions was twofold:

- To test the practicality and potential impact of the review's recommendations
- To prioritise actions that could be implemented immediately, particularly in relation to operational and procedural improvements.

In some cases, recommended changes were already aligned with ongoing initiatives within the Office of the Commissioner, enabling swift progress.



Implementation of Early Actions

While the final Government response to the review is still pending, the Department and the Office of the Commissioner have worked collaboratively to address several recommendations that could be actioned without legislative change. These early actions include:

- Refinements to application processes to improve clarity for applicants and streamline internal workflows
- Enhanced communication materials for communities and service providers, ensuring information about the Act and Cultural Recognition Orders is accessible and culturally appropriate.

- Improved inter-agency coordination, particularly in cases where CROs intersect with family law or child protection matters
- Capacity-building initiatives for staff and stakeholders to ensure consistent application of the Act's provisions in line with cultural protocols.

These proactive measures demonstrate the commitment of both the Department and the Office of the Commissioner to continuous improvement, even while broader reform options are under government consideration.

Next Steps

The final review report is currently being considered by government. The development of the Government response will involve further internal policy analysis, alignment with legislative priorities, and, where relevant, consultation with key stakeholders to refine the approach to implementation.

It is anticipated that the Government's formal response will address each of the 64 recommendations, outlining which will be adopted in full, which may require further

consideration or modification, and which may not be progressed at this time.

Once finalised, the Government response is expected to be tabled in Parliament, accompanied by information about the timing and process for any legislative amendments. The Department will also publish an overview of the response to ensure transparency and provide updates to stakeholders and communities that participated in the review.

Significance of the Review

This review represents an important milestone in the life of the Act. It reaffirms that the Act is delivering on its intended purpose – recognising and upholding Torres Strait Islander cultural authority in child-rearing arrangements – while also providing a clear roadmap for future refinement.

The review process has reinforced the value of collaborative governance, in which government agencies, statutory officers, community leaders, and legal professionals work together to ensure that legislative frameworks remain

culturally respectful, legally sound, and practically effective.

As the Act continues to operate, the lessons and recommendations from this review will inform not only the ongoing administration of the Cultural Recognition Order process but also broader policy and legislative initiatives relating to Aboriginal and Torres Strait Islander cultural recognition within Queensland law.

Forecast of Workload for 2025–26

Since the commencement of the Meriba Omasker Kaziw Kazipa (*Torres Strait Islander Traditional Child Rearing Practice*) Act 2020 (the Act), the Office has experienced steady and significant growth in both community engagement and applications for Cultural Recognition Orders (CROs). This continuing upward trend demonstrates the strong demand within Torres Strait Islander communities for legal recognition of Ailan Kastom child-rearing practices, and the confidence families have placed in the Office to deliver culturally safe, affordable, and accessible outcomes.

Historical Growth

Year	Granted CROs	% Growth (approx.)	Notes
2021-22	4	-	Initial implementation phase
2022-23	17	+325%	Increased community awareness and process refinement
2023-24	25	+47%	Continued growth and steady case management capacity
2024-25	55	+120%	Substantial rise supported by four full-time Cultural Support Officers

From just nine applications received in 2021–22 to 96 active applications managed in 2024–25, the scale of demand has increased more than tenfold in four years. This growth reflects both the long-standing community need for legal recognition and the effectiveness of the Office’s culturally responsive approach.

Workload Forecast for 2025–26

The forecast for 2025–26 takes into account the ongoing increase in demand, balanced against a reduced workforce, with three Cultural Support Officers (CSOs) compared with four in the previous year.

Key considerations influencing the forecast include:

- A 25 per cent reduction in frontline staffing capacity
- Continued growth in community awareness and confidence in the Act
- Greater efficiency and expertise within the experienced team and
- A conservative projection, assuming growth moderates due to staffing constraints.

Based on these factors, a conservative forecast for 2025–26 estimates between 30 and 50 Cultural Recognition Orders granted. This projection reflects a stabilising but sustained workload, with continued steady progress expected despite reduced staffing capacity.

Scenario	Estimated CROs Granted	Rationale
Conservative (flat productivity)	~41	Reflects reduced workforce capacity
Moderate (5–10% growth)	43–45	Balances capacity loss with continued momentum
High-demand (unmitigated demand growth)	50+	Achievable only with overtime, partnerships, additional CSO’s or temporary support

Caseload Implications

In 2024–25, 96 active applications involved approximately 576 individuals, while an additional 741 individuals were supported through enquiries – representing a total caseload of more than 1,300 people assisted by the Office. With three Cultural Support Officers in 2025–26, each officer is projected to manage an even higher caseload as enquiries and applications continue to grow.

Approximately 80 per cent of applications in 2024–25 was assessed as complex, requiring dispensation orders and extended case management. A similarly high level of complexity is anticipated in 2025–26, reinforcing the need for ongoing investment in staffing, systems, and culturally informed practice.

Sustainable Funding and Future Planning

The Queensland Government’s commitment of \$8.9 million in sustainable funding over four years provides a solid foundation to strengthen the Office’s capacity, enhance operational systems, and support staff wellbeing. This investment enables the Office to continue meeting the increasing demand while ensuring accessibility and cultural safety for all families seeking recognition under the Act.

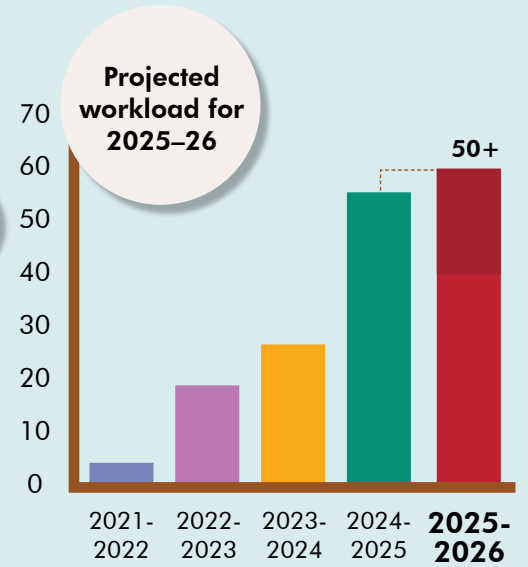
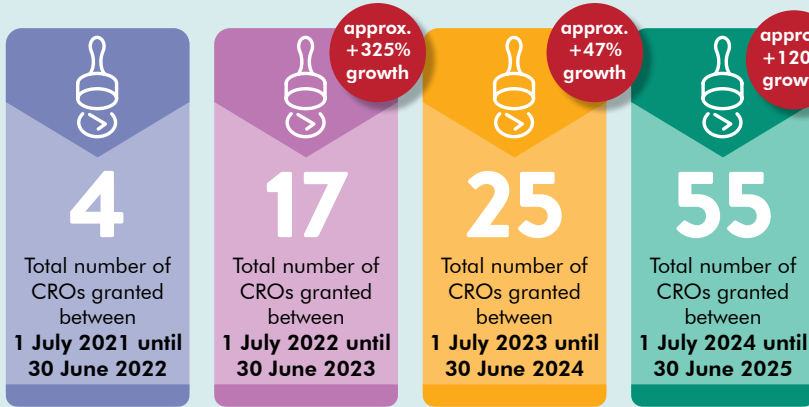
The Act’s continued implementation directly supports the Closing the Gap framework – particularly Target 12 (reducing the over-representation of Aboriginal and Torres Strait Islander children in the child protection system) and Target 16 (strengthening and empowering cultures). It also contributes indirectly to broader outcomes in health, education, and wellbeing by strengthening family identity and stability.

Outlook

The projected workload for 2025–26 reflects the ongoing success and relevance of the Act in meeting community needs and delivering transformative outcomes for Torres Strait Islander families. While sustainable funding will support service delivery, managing the increasing scale and complexity of applications will require continued focus on workforce planning, recruitment, training, and system improvements.

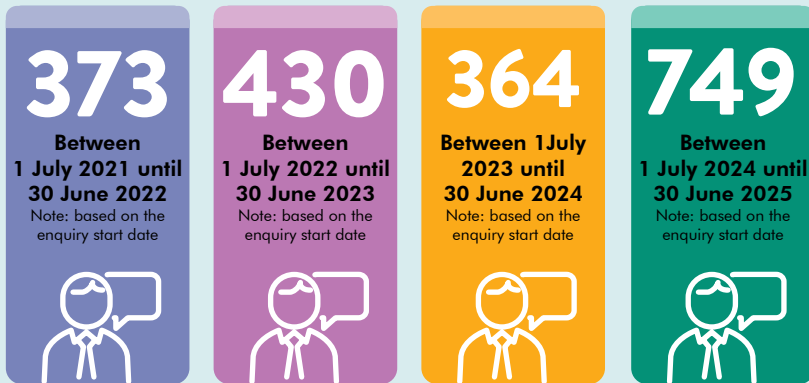
The Meriba Omasker Kaziw Kazipa framework continues to play a transformative role in affirming Torres Strait Islander identity, supporting family unity, and preserving Ailan Kastom for future generations.

Cultural Recognition Orders - anecdotal forecasts of the workload from 2021-25

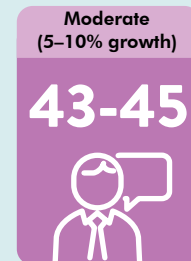


Enquiries - anecdotal forecasts of the workload from 2021-25

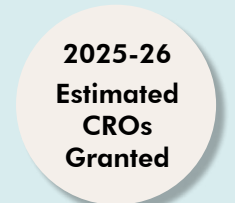
Total number of enquiry numbers [completed/closed] our office received



Reflects reduced workforce capacity



Balances capacity loss with continued momentum



Achievable only with overtime, partnerships, additional CSOs or temporary support





Financials

Office of the Commissioner Meriba Omakser Kaziw Kazipa 2024-25 Year End Results

Financial transactions in relation to the administration and implementation of the *Meriba Omakser Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Act 2020*, are contained within the certified annual financial statements of the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism Annual Report 2024-2025.

https://www.dwatsipm.qld.gov.au/_media/documents/about/corporate-publications/annual-report/annual-report.pdf

Appendix A:

References from the Act

Terms with specific meaning under the Act

The Act uses several key terms which have specific meaning under the Act. The terms are:

- **Ailan Kastom child-rearing practice** is the practice recognised by Ailan Kastom under which a child's birth parents and the child's cultural parents agree in accordance with Ailan Kastom that the parental rights and responsibility for the child are permanently transferred from the Birth Parents to the Cultural Parents.
- **Birth Parent** is a person who is recognised at law as being a parent of the child at the time the child is born.
- **Cultural Parent** is a person who, in accordance with Ailan Kastom child-rearing practice, agrees to accept the permanent transfer of the parental rights and responsibility for a child from the child's Birth Parents to that person.
- **Informed person** is a person who has knowledge and understanding of the specific Ailan Kastom child-rearing practice that occurred in relation to the application and can verify that the transfer of parentage in relation to the subject child occurred in accordance with Ailan Kastom. This could be a family member such as a grandparent.
- **Customary Adoption** has been used as an explanation to describe the practice of permanently transferring a child from one extended family member to another. The term 'customary adoption' is not a term used in Torres Strait Islander culture, but initially used by Queensland Government as a term that could be understood within modern day terminology. The practice is now referred to as Ailan Kastom child-rearing practice.
- **Other Carer** is a person other than the child's Birth Parent or Cultural Parent who has the right and responsibility to make decisions about the child's daily care under legislation other than this Act or the *Child Protection Act 1999*. An example of an Other Carer may be someone who is not a Birth or Cultural Parent but has parental rights such as a grandparent of the subject child who may have family law orders providing for parental responsibility or contact. This is to ensure that person who holds those rights is also informed of and consents to the application.
- **Review Officer** is a person (other than the Commissioner) appointed by the Minister to review an application under s.61 of the Act for a review of a decision decided by the Commissioner.
- **Appointed Person** is a person (other than the Commissioner) appointed by the Minister to consider an application instead of the Commissioner under s.19 of the Act where a conflict of interest has been identified.
- **Administrator** is a person who is or was:
 - the Commissioner
 - an officer of the Office of the Commissioner
 - a Review Officer
 - an Appointed Person or
 - an officer or employee of the Department whose services are made available to the Commissioner under s.30(2).
- **The Minister** referred to in the Act is the Minister for Women and Women's Economic Security, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Multiculturalism under the Administrative Arrangements Order (No. 2) 2024 and s.33 of the Acts Interpretation Act 1954 (Qld).
- Schedule 1 of the Act has definitions of other terms used within the Act.



Appendix B: The Woven Mat

Traditionally, an agreement is usually made between the families and once the transfer has occurred (i.e. giving of the child), the 'mat is closed' (meaning the matter is permanently closed). It is important to be aware that discussions around Ailan Kastom and details of the practice itself is considered taboo and are highly sensitive. Any decision to disclose this Ailan Kastom to the subject person, is fundamentally left to the Cultural Parents.



The Coconut Palm Tree

The coconut palm tree serves as a metaphor for island family life – the roots represent heritage, the trunk represents tradition, and the growth of leaves and maturing of coconuts/fruit, represent culture.

by Steve Mam, McRose Elu, Ivy Trevallion and Allan G. Reid.

Each stage contains an underlying principle that showcases a different but integral part of Islander culture, life and traditions.

STAGE 1 THE ROOTS OF THE COCONUT TREE

The roots of the coconut tree represent the basis of existence for Torres Strait Islanders, out of which arise the seed (refer Stage 9) of future generations. In the same way that the coconut tree depends on its roots to provide stability and an anchor in time and place, Torres Strait Islanders depend on their ancestral roots to 'fix' their existence in humanity through their particular traditions and customs.

THE PRINCIPLE: Foundation and Heritage – the past, present, and future parents of Torres Strait Islander existence are embodied in the roots of the coconut tree.

STAGE 2 THE TRUNK OF THE COCONUT TREE

Provided that the roots of the coconut tree are strong, the trunk of the tree shall also be strong and be the conduit for the sap – or 'spiritual energy' – to pass back and forward between the upper and lower parts of the tree. The trunk is the vital channel connecting the upper and lower parts of the tree together.

THE PRINCIPLE: Intimate Union of Male and Female – Husband and Wife – In a fundamental sense, the union of opposites gives rise to offspring and is a continual process underlying the existence of Torres Strait Islanders.

STAGE 3 THE LEAVES OF THE COCONUT TREE

As with most Indigenous peoples throughout the world, the extended family is an environment enjoyed, having a clearly defined structure. The keyword is relationships and in a defined structure has prominence. Relationships between members of the extended family (the microcosm of economy) are subject to strict rules, with 'place' having jurisdiction.

As with the leaves of the coconut tree which are on display to all, relationships between the extended family, according to tradition, custom and practice, are on display to all and in this sense are exposed without shame.

THE PRINCIPLE: The Extended Family – the extended family environment of Torres Strait Islanders is rich with the practice of traditional child-rearing.

STAGE 4 THE NEW SHOOT OF THE COCONUT TREE

At the apex of the coconut tree the new shoot grows, and when matured fans out into new leaves. The new leaves when encased in the shoot itself is akin to the embryonic state of childbearing, and, when sprouting, is akin to the birth process.

THE PRINCIPLE: Siblings – siblings are an important factor in the lifestyle and culture of Torres Strait Islanders.

STAGE 5 THE FIRST TIER OF LEAVES AROUND THE NEW SHOOT

Surrounding the new shoot are tiers of leaves whose geometry is different from that of the main body of leaves on the tree. These leaves grow vertically and in a circular pattern around the new shoot. In that sense they are seen by Torres Strait Islanders to be sentinels of the new shoot, though one can only speculate on their actual function in relation to the rest of the tree.

THE PRINCIPLE: The Teachers – this tier of leaves are the aunts and uncles of the siblings. In the traditional moiety system of Torres Strait Islanders, there is a special person for each child who functions as the 'external teacher' as distinct from the biological parents who function as the 'internal teachers'.

STAGE 6 THE SECOND TIER OF LEAVES AROUND THE NEW SHOOT

Surrounding the first tier of leaves, which are arranged in a circular pattern around the new shoot, is a second tier of leaves.

THE PRINCIPLE: Guardians of Knowledge and Culture – this second tier of leaves functions more remotely in relation to the growth of the siblings than does the first tier of leaves surrounding the new

shoot. They are the Elders of the community from whose number is chosen the principal Elder known as the Mamoos (pronounced mah-moose). By virtue of their age, the Elders are considered the wise ones of the community whose collective wisdom oversees the everyday existence of Torres Strait Islanders.

STAGE 7 THE BUNCHES OF COCONUTS

Coconuts are the result of fertilisation of the flower which produces the fruit and, in whose existence is also the seed of new coconut trees. In the cycle of life, they bear the physical evidence of the sap of the tree.

THE PRINCIPLE: The Individual and People – the simile employed here is that the fruit of the tree (the individual and the people) is the material evidence of the transformation of sap (spiritual energy) via the effect gained through channeling the trunk along the strictures of 'household rule'.

STAGE 8 THE DEAD LEAVES OF THE COCONUT TREE

The leaves of the coconut tree having completed their function of photosynthesis for their host (viewed from the perspective of the individual) simply fall to the ground and are strewn around the trunk.

THE PRINCIPLE: Old People (Ancestors/Lineage) – reproduction after rejuvenation – old people having realised their function of maturity (refer Stage 6) pass on from this physical life and join their ancestors in their spiritual life hereafter.

STAGE 9 THE FALLING COCONUTS

Once the coconuts have reached prime maturity, they simply fall off the tree to the ground below and assimilate into seed form for new growth.

THE PRINCIPLE: Offspring/New Generation – the falling coconuts represent offspring and new generation and the perpetuation of tradition, custom, culture and practice.

STAGE 10 THE GROWTH RINGS AROUND THE TRUNK

Around the trunk of the coconut tree are growth rings which are easily seen.

THE PRINCIPLE: Recording of History (visual and aural) – Torres Strait Islanders use the individual growth rings, or collections of them, to fix a record of an event into place. They are visual records seen and understood by those having the 'key' to read the records. Torres Strait Islander people have practiced the sacred Ailan Kastom child-rearing practice since time immemorial. However it is important to recognise it has been an extremely long and arduous journey to get the honoured practice legally recognised.

Appendix C

For Further Information

Office of the Commissioner Meriba Omasker Kaziw Kazipa www.ocmokk.qld.gov.au

The Bill	Meriba Omasker Kaziw Kazipa – The Bill, Report No 40, August 2020, tabled by Cynthia Lui MP, Member for Cook, Queensland Parliament https://documents.parliament.qld.gov.au/tableOffice/TabledPapers/2020/5620T1395.pdf
The Act	https://www.legislation.qld.gov.au/view/html/inforce/current/act-2020-033
The Regulation	https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2021-0120
The Guidelines	https://www.ocmokk.qld.gov.au/resources/ocmokk/ockmokk-guidelines.pdf
Media Releases	https://ocmokk.com.au/about-us/resources/

Other Information

DWATSIPM	https://www.qld.gov.au/firstnations/family-social-support/torres-strait-islander-traditional-child-rearing-practice
Paul Ban, 'Customary Adoption' in the Torres Strait Islands towards Legal Recognition', Aboriginal Law Bulletin, 1994, 3(66), p 2.	Torres Strait Islander family life Australian Institute of Family Studies https://www.aifs.gov.au
The coconut palm tree: a metaphor for Islander family life	https://www.creativespirits.info/aboriginalculture/people/torres-strait-islander-culture
Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 – paper by Alastair Nicholson	https://documents.parliament.qld.gov.au/tableOffice/TabledPapers/2020/5620T1395.pdf
Beck & Whitby – Leading Kupai Omasker Case	http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/FamCA/2012/129.html



Continuing the legacy of advocates past and present will help ensure these practices are recognised and strengthened for Torres Strait Islander families raising future generations and leaders of tomorrow. In doing so, we acknowledge the importance of culture, family, connection and self-determination for Torres Strait Islander children, individuals and their families now and into the future.



Office of the Commissioner
Meriba Omasker Kaziw Kazipa
(Cairns)

Level 3, Citi Central Building,
46-48 Sheridan Street Cairns, QLD 4870
PO Box 7576, Cairns, Qld 4870
1800 571 102
E : office@ocmokk.qld.gov.au

Office of the Commissioner
Meriba Omasker Kaziw Kazipa
(Thursday Island)

The Torres Haus Offices,
1/46 Victoria Parade Thursday Island, QLD 4875
PO Box 7576, Cairns, Qld 4870
1800 571 102
E : office@ocmokk.qld.gov.au