

responsibility for these functions rests with the Public Guardian and is necessary to avoid duplication and to use resources efficiently so that they can be diverted to front-line services as recommended by the commission. The initial appointee to the Public Guardian position will play a pivotal role in establishing the new Office of the Public Guardian, setting its direction and authority in the child protection system.

To provide certainty in relation to this leading role, I am pleased to advise that the Public Guardian Bill contains provisions to allow the appointment of the current Adult Guardian, Mr Kevin Martin, as Public Guardian until 12 August 2015, the end of his current term as Adult Guardian, if he agrees to this. As the Adult Guardian, Mr Martin has been closely involved with the implementation of the commission reforms and he has previously served as Public Trustee of Queensland and as the Director-General of the Department of Justice and Attorney-General. Mr Martin's demonstrated leadership in organisations that protect and assist vulnerable people will ensure that the Office of the Public Guardian is effectively managed through its first year of operation.

The reforms in the Public Guardian Bill represent an important first step in overhauling the child protection system in Queensland. This government is committed to implementing the next stages of reform over future years, which will include legislative and non-legislative reforms, to comprehensively change the way Queensland protects, cares for and supports its most vulnerable children. The Public Guardian Bill underpins this government's objectives to build a sustainable and effective child protection system for the future. I commend the bill to the House.

First Reading

Hon. JP BLEIJIE (Kawana LNP) (Attorney-General and Minister for Justice) (4.11 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Health and Community Services Committee

Mr DEPUTY SPEAKER (Mr Watts): Order! In accordance with standing order 131, the bill is now referred to the Health and Community Services Committee.

Portfolio Committee, Reporting Date

Hon. JP BLEIJIE (Kawana LNP) (Attorney-General and Minister for Justice) (4.11 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Health and Community Services Committee report to the House on the Public Guardian Bill by 13 May 2014.

Question put—That the motion be agreed to.

Motion agreed to.

FAMILY AND CHILD COMMISSION BILL

Introduction



Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (4.12 pm): I present a bill for an act to establish the Queensland Family and Child Commission and for related purposes, to amend the Public Service Act 2008 and to make consequential amendments to this act and other legislation stated in schedule 1. I table the bill and the explanatory notes.

Tabled paper: Family and Child Commission Bill 2014.

Tabled paper: Family and Child Commission Bill 2014, explanatory notes.

I am pleased to introduce the Family and Child Commission Bill 2014, one of the three bills that comprise the initial stage of this government's reforms to build a new child and family support system in Queensland over the next 10 years. The bill establishes the Queensland Family and Child Commission, amends the Public Service Act 2008 and makes consequential and minor amendments to other legislation as stated in schedule 1.

One of the findings of the Queensland Child Protection Commission of Inquiry was that the current layers of oversight were at the expense of delivering services to the public and reforms were needed which take into account and manage risk in a new and different way. The commission of inquiry recommended that it was time to place appropriate levels of responsibility on each department responsible for child protection to avoid duplication and to use resources efficiently. Currently, the Commission for Children and Young People and Child Guardian, or CCYPCG, carries out a range of functions including individual advocacy for children, working with children checks, investigations and monitoring of complaints, review of child deaths and is the oversight body for the child protection system.

The commission identified that the CCYPCG is no longer required in its current form and that its functions should be performed by other entities. The commission of inquiry proposed the establishment of a new entity, the family and child council, to provide systemic oversight of the child protection system and to coordinate research, with remaining functions being transferred to other entities. All other Australian jurisdictions, except for South Australia, have a 'commissioner' for children, rather than the family and child council. As such, the bill establishes the new entity as the Queensland Family and Child Commission. This ensures that Queensland is aligned with other jurisdictions, and that issues pertaining to children and young people are accorded significant and equal status to that demonstrated across the rest of the country.

The Queensland Family and Child Commission will be a statutory body reporting directly to the Premier. It will provide systemic oversight for the child protection system, including secondary family services to vulnerable children and young people and their families. The bill transfers the current CCYPCG functions of systemic oversight, research and maintaining a child death register to the new Queensland Family and Child Commission.

The Queensland Family and Child Commission will have two commissioners with at least one commissioner being an Aboriginal person or Torres Strait Islander. One of the commissioners will be a principal commissioner for the purpose of overall management of the Family and Child Commission. In exercising its functions, the Queensland Family and Child Commission will be required to ensure the interests of Aboriginal and Torres Strait Islanders are adequately and appropriately represented, and will be required to report on the outcomes of actions taken to reduce overrepresentation and to improve outcomes for Aboriginal and Torres Strait Islander families, children and young people.

The Queensland Family and Child Commission will be independent from line agencies and will provide the cross-sectoral leadership required to successfully deliver a new child protection system for Queensland. The primary mechanism through which stakeholders will be involved in the strategic work will be through the establishment of one or more advisory councils.

The Queensland Family and Child Commission will provide systemic oversight of the child protection system delivered by public sector and publicly funded non-government agencies providing child safety services or support to families. The bill provides that its functions will include driving best practice in the provision of services, by developing a workforce development strategy, coordinating a research program, and by evaluating the performance at a systemic level.

The Queensland Family and Child Commission will also have a key role to inform and educate families and communities about their responsibility for protecting and caring for their children. The Queensland Family and Child Commission will have an important role in coordinating efforts across government and non-government agencies and in strengthening the capacity of the sector through collaboration and information sharing.

The bill proposes that the Queensland Family and Child Commission will report annually to the Premier on its functions and the performance of the child protection system. The bills underpin this government's objectives to build a sustainable and effective child protection system for the future. I commend the bill to the House.

First Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (4.16 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Health and Community Services Committee

Mr DEPUTY SPEAKER (Mr Watts): Order! In accordance with standing order 131, the bill is now referred to the Health and Community Services Committee.

Portfolio Committee, Reporting Date

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (4.17 pm), by leave, without notice: I move—


That under the provisions of standing order 136 the Health and Community Services Committee report to the House on the Family and Child Commission Bill by 13 May 2014.

Question put—That the motion be agreed to.

Motion agreed to.

~~CHILD PROTECTION REFORM AMENDMENT BILL~~

~~Introduction~~

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.17 pm): I present a bill for an act to amend the Child Protection Act 1999, the Childrens Court Act 1992, the Commission for Children and Young People and Child Guardian Act 2000, the Magistrates Act 1991, the Ombudsman Act 2001 and the Public Health Act 2005 for particular purposes and to make consequential amendments to the acts mentioned in schedule 1. I table a copy of the bill and explanatory notes. I nominate the Health and Community Services Committee to consider the bill.

Tabled paper: Child Protection Reform Amendment Bill 2014.

Tabled paper: Child Protection Reform Amendment Bill 2014, explanatory notes.

I am pleased to introduce the Child Protection Reform Amendment Bill, one of the three bills comprising the initial stage of this government's reforms to build a new child and family support system in Queensland over the next 10 years. The bill includes amendments to the Child Protection Act 1999, the Commission for Children and Young People and Child Guardian Act 2000, the Ombudsman Act 2001, the Childrens Court Act 1992 and the Magistrates Act 1991 to:

- guide when reports about a child must be made to the Department of Communities, Child Safety and Disability Services—Child Safety;
- allow prescribed entities to share information with service providers when children are likely to become in need of protection if support is not provided to their family;
- make it clear that people who report concerns about a child to Child Safety are protected from liability when they honestly and reasonably provide information;
- establish a child death review panel process to review the deaths and serious injuries of children known to Child Safety and other cases if required;
- clarify leadership of the Childrens Court and improve court processes;
- allow the Queensland Ombudsman to delegate functions and powers to appropriately qualified officers, including the power to write reports and make recommendations which are not currently delegable, to ensure timely resolution of child protection complaints;
- transfer the responsibility for administering the Blue Card scheme to the Public Safety Business Agency in a new stand-alone piece of legislation;
- support the seamless transition of relevant functions of the Commission for Children and Young People and Child Guardian (CCYPCG) to other agencies and entities;
- streamline annual reporting by departments with child protection responsibilities by introducing more efficient and effective mechanisms to monitor the performance the system.

In terms of reporting concerns to Child Safety, the bill includes amendments to guide decision making about when a report about a child must be made to Child Safety and clarifies and consolidates the various policy and legislative reporting requirements into one place: the Child Protection Act 1999. Child Safety investigates concerns and takes necessary action when a child is considered to be a child in need of protection.

Child Safety's intervention in a family's care for their child is as a last resort, when a child has or is suffering, or is at an unacceptable risk of suffering 'significant' harm and does not have a parent who is able and willing to protect them from the harm.

The Child Protection Commission of Inquiry recommended that this should be emphasised by amending what is meant by 'a child in need of protection', so the first element about harm to a child,