



Community Support and Services Committee

Child Protection Reform and Other Legislation Amendment Bill 2021

Submission



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Front cover: Anglicare’s Jarjums Connect Group aims to nurture cultural connectedness, so that children and young people begin to develop and feel a strong sense of identity and belonging within themselves and the wider Aboriginal and Torres Strait Islander community. Jarjums was recently featured on national television, on the long-running nature and science-themed series *Totally Wild*. (For more information: anglicaresq.org.au/reconciling-story/jarjums-goes-totally-wild)

Introduction

Anglicare Southern Queensland welcomes the opportunity to make a submission to the Queensland Government Community Support and Services Committee on the *Child Protection Reform and Other Legislation Amendment Bill 2021* (the Bill).

We welcome and strongly support the overall key objectives of the Bill, being to:

- reinforce children's rights in the legislative framework
- strengthen children's voices in decisions that affect them; and
- streamline, clarify and improve the regulation of care.

Our comments below reflect the expertise and experience of Anglicare Southern Queensland in working directly with many thousands of vulnerable children, young people and their families for more than twenty years. We offer a range of programs in this area of our service delivery: Foster and Kinship Care; Residential Care; Family Intervention Services (FIS); Intensive Family Support (IFS); Secondary Family Support (SFS), Supported Independent Living Services (SILS), Assessment Support Connect (ASC), as well as youth justice services, and counselling and accommodation to young people aged 12–25 years who were homeless or are at risk of homelessness.

In the financial year 2019–20, Anglicare provided 360,465 nights of care for children and young people through foster and kinship care and supported accommodation, providing care to around 1,000 young people on any one night.¹ Approximately one quarter (25–27%) of our young people are from Aboriginal and/or Torres Strait Islander backgrounds, and we take very seriously our responsibility to provide opportunities for these young people to remain connected to family and community, and to enhance their knowledge of their culture.

Given the depth of our experience, Anglicare SQ offers the following comments in relation to the proposed Bill.

About Anglicare SQ

Anglicare SQ is a not-for-profit Anglican Church organisation that provides care and support services to more than 1 in 30 Queenslanders. Our first priority is a commitment to high quality, client-centred care, support and counselling, enabling those we work with to reach their own goals and to live a flourishing life.

Our 3000 professional staff and volunteers support Queenslanders across a geographic area double the size of the United Kingdom, stretching from Townsville to Coolangatta and across the southwest of the state. We work towards the promotion of wellness, social inclusion and social justice through our diverse and extensive range of support services. These include foster and kinship care; children and family services, including intensive family support and family intervention services; as well as targeted family support programs; mental health and family wellbeing; homelessness services; disability services; residential aged and community care; and spiritual and pastoral care.

Children's voices

Anglicare SQ was among those organisations and individuals who submitted to the 2019 consultation on reforms to the *Child Protection Act 1999*, as outlined in the discussion paper, *Rethinking Rights and Regulation: Towards a Stronger Framework for Protecting Children and Supporting Families*.

Our submission, consistent with many others, strongly supported further legislative reform. This was particularly in relation to ensuring that children's rights are protected and promoted and that children can participate in decisions that will impact their lives.

We welcome and support the legislative reforms in the current Bill directed at more deeply embedding children's rights and voices in both the legislative framework and in their lived experience of care. It will be critical to ensure that such reforms flow through the system via policy, procedure and practice to impact day-to-day engagement with and improved outcomes for children and young people.

We consider the Bill provides positive direction in giving children a stronger voice and participation in matters that affect their lives. Such an approach establishes and supports children to be active partners in their own care. Inclusive decision-making processes afford children's opinions due weight, and will not simply be undertaken as a tokenistic process. Children and young people should be a natural inclusion in the design process, given their role as experts in their own lives.

Anglicare SQ believes that children and young people have the right to meaningfully contribute to decision-making about their own lives, in a context that is both empowering and safe. We strongly support the Royal Commission's finding that child safe institutions facilitate and value children's contributions to decision-making and listen to their concerns. Our belief in the importance of children's voices threads through many components of our work including, among other activities, the appointment of a specialist Child Safe Organisation role;² an upcoming 'Children's Voices' client survey; the establishment of a young people's advisory group, giving voice to young people in residential accommodation; as well as our previous *Youth Voices* project,³ that provided the stimulus for a current three-year ARC Linkage project with QUT called *Young Women's Voices*.⁴

Children's rights

We welcome the Bill's focus on the rights of children and young people, and the expansion of the Charter of Rights to more clearly articulate rights that support children to flourish, rather than simply survive; and provide a solid foundation for them to grow into thriving and valuable members of our community.



The years of experience that Anglicare's staff bring to their work with vulnerable children tells us that children need the opportunity to *be* children — to play, to be creative, to engage in activities like sport or art for the sheer joy of it — and we are pleased to see this recognition in the Bill.

Figure 1: Cultural Support Worker, Ben, helps to connect children and young people to culture through activities that provide the opportunity for creativity, friendship and fun.

Aboriginal and Torres Strait Islander Child Placement Principles

We also welcome the shift in language and intent regarding the application of the Aboriginal and Torres Strait Islander Child Placement Principles, from the requirement to ‘have regard to’ the principles, to a new obligation requiring child safety officers to actively and purposefully undertake timely efforts to apply the five core elements of prevention, partnership, placement, participation and connection in their work with children and young people.

Anglicare has a range of initiatives embedded in our practice that aim to proactively address the Principles. Our staff are intensely aware of the role of community and a sense of belonging in supporting children and young people to flourish, and the particular importance of connection to culture and country for the Aboriginal and Torres Strait Islander children and young people we support. The Jarjums Connect Group (see front cover image), for example, is an Anglicare initiative which aims to nurture cultural connectedness, so that children and young people begin to develop a strong sense of identity and belonging within themselves and the wider Aboriginal and Torres Strait Islander community. Led by our Cultural Support Workers, Jarjums is designed to nurture individual self-expression and offer cultural support in a safe (physical or online) environment for children in our Aboriginal and Torres Strait Islander communities.⁵

Similarly, the work of Cultural Support Worker, Noel (see boxed text) aims to reclaim cultural knowledge, connect family names, identify each young person’s cultural obligations and nurture their emotional and social wellbeing.

Anglicare is particularly pleased therefore to see the inclusion of the right to ‘develop, maintain and enjoy a connection to the child’s culture of origin’ among the expanded rights in the Charter; as well as the stronger emphasis on family relationships and the “meaningful mapping, identification, support and enabling of people who have a legitimate cultural connection to the child”.⁶ As the Explanatory Notes to this Bill point out:

The disproportionate representation of Aboriginal and Torres Strait Islander children involved in the child protection system and an enduring legacy of the Stolen Generations, makes it imperative that Aboriginal and Torres Strait Islander children in the system are connected to family, community, culture and kin.⁷

Connecting to culture and Country

The role of Anglicare Cultural Support Worker, Noel, is to support First Nations children in care by tracing their Aboriginal and Torres Strait Islander heritage.

Noel begins this task by contacting a child’s carers to trace any immediate leads and family connections. Through the carers, Noel contacts the parents or grandparents, and begins tracing their family tree. Once Noel has identified as far back as the child’s great grandparents, he is often able to work with extended family members and the Queensland South Native Title Service to link into Country and the young person’s ‘apical ancestor’ (the common ancestor from whom a lineage may trace its descent).

Once Noel has connected the child with their traditional heritage, he also assists carers in providing a cultural map of their Traditional Country. This could include Native Title Claims, traditional language, and the knowledge of their ancestors. Some carers take the children to their Country, so that they can reconnect with the physical space.

In some cases, Noel has been able to identify a child’s family totem. The child then has the opportunity to participate in a ceremony that formally gives them their personal totem, and reconnects the young person with their heritage.

Streamlining of regulation

Finally, we welcome the streamlining and clarification of regulation that should enable carers to focus more on the care of children and less on paperwork, without reducing accountability and safety.

We are particularly pleased to see provisions that support the sharing of relevant information to enable more informed decisions about child placements and enhance the ability of carers to provide appropriate care; as well as amendments that ensure that carers have appropriate support and training to enable them to meet the needs of the children in their care to the best extent possible. This is consistent with Anglicare's own program of support for foster and kinship carers, which includes partnering carers with a dedicated case practitioner; 24/7 phone support; and ongoing training programs, resources and connection to other carers through events, celebrations and educational opportunities.⁸

Conclusion

Whenever children and young people are asked about what matters in their lives, one of the recurring responses relates to having an active role in the dialogue that shapes their lives: having a voice, being listened to, and having access to information that relates to them.

The need to listen to children and young people, for example, is a theme that threads its way all the way through the final report of the Royal Commission; and in CREATE's *Out of Home Care in Australia* report⁹, young people talked about the changes they would like to see:

[More information] about the Charter of Rights for Children and Young People in Out-of-Home Care, and more information about your family, about history, and more about my dad's side of the family (female, 13 years)

Why can't the department listen to me? I feel unsafe in my current situation and just want to live with my pop (male, 17 years)

This legislation is a positive step toward ensuring that children and young people have a strong and meaningful voice in their own care. We will need to work together — government and the child protection sector — to ensure that the intent of the reforms becomes everyday practice, and genuinely improves the lives of children in care in Queensland.

References

- ¹ Anglicare Southern Queensland 2020. *Annual Report 2019–2020*. Brisbane, Qld: Anglicare SQ. At: anglicaresq.org.au/about-us/annual-reports
- ² Anglicare Southern Queensland 2020. We are a child safe organisation. Web page. At: anglicaresq.org.au/about-us/child-safe
- ³ Anglicare Southern Queensland 2017. Youth Voices. Web page. At: anglicaresq.org.au/youth-voices
- ⁴ Anglicare Southern Queensland 2021. Young Women’s Voices. Web page. At: anglicaresq.org.au/about-us/advocacy/young-womens-voices
- ⁵ Anglicare Southern Queensland 2020. Jarjums goes totally wild. Web page. At: anglicaresq.org.au/reconciling-story/jarjums-goes-totally-wild; Jarjums connect through song and dance. Web page. At: anglicaresq.org.au/reconciling-story/jarjums-connect-through-song-and-dance
- ⁶ Linard, The Hon. Leanne M. 2021. *Child Protection Reform and Other Legislation Amendment Bill 2021*. Introductory Speech to Queensland Parliament. 15 Sept.
- ⁷ Queensland Government 2021 *Child Protection Reform and Other Legislation Amendment Bill 2021*. Explanatory Notes. Brisbane, Qld: Queensland Government.
- ⁸ Anglicare Southern Queensland 2020. You Be You: Have questions? Website. At: youbeyou.org.au/faq/#support
- ⁹ McDowall, J. J. 2018. *Out-of-home care in Australia: Children and young people’s views after five years of National Standards*. Sydney: CREATE Foundation. At: create.org.au/wp-content/uploads/2019/03/CREATE-OOHC-In-Care-2018-Report.pdf