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28/09/2021

Committee Secretary
Community Support and Services Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Committee Secretary,

RE: Inquiry into Child Protection Reform and Other Legislation Amendment Bill 2021

The Australian Association of Social Workers (AASW) welcomes the opportunity to provide feedback on the Child Protection Reform and Other Legislation Amendment Bill 2021.

The AASW is the professional body representing more than 15,000 social workers throughout Australia, including more than 3,000 members across North Queensland and Queensland branches. The AASW sets the benchmark for professional education and practice in social work, and we advocate on matters of human rights, discrimination, and issues that influence people's quality of life.

The role of social workers in child protection

Social workers are employed in a broad range of areas relating to the health and wellbeing of children and families, including in Child Protection, Aboriginal Community-Controlled Organisations (ACCOs), hospitals, school support and family support services, and in undertaking research and social policy development within different levels of government and in non-government services. Social workers consider the wellbeing and protection of children within the broader social and political context and strive to promote the best interests of children, demonstrating their commitment to the Convention on the Rights of the Child (CRC).

Responding to, and working in partnership with, children, young people and families requires an understanding of the inter-related nature of child wellbeing, abuse and



neglect with issues such as poverty, domestic violence, drug and alcohol-related harm, disability, colonisation and the ongoing impacts of the Stolen Generation, homelessness, education, health and mental health. Social work is the only professional discipline with the value, knowledge and skill base essential to quality relationship-based child protection practice. As a result, social workers are recognised throughout the world as the core professional group in child protection policy, management and practice.

AASW response to the Bill

The AASW has consulted with Queensland members to inform our submission and we support the Bill. We believe that this Bill can further ensure the cultural safety of Aboriginal and/or Torres Strait Islander children and families and strengthen the right of a child in decision-making. The AASW has a number of comments and recommendations in response to the Bill that we believe would strengthen the existing proposal if they were legislated.

1. The requirement for Aboriginal and Torres Strait Islander Child Placement Principle be applied to a standard of 'active effort'

The AASW supports the Bill's amendment to Section 6AA(2)(a) of *Child Protection Act 1999* (QLD), replacing the term "having regard to" with "applying active efforts" in relation to the implementation of the child placement principle. With this legal provision, it is an opportunity to strengthen the department's compliance with the Child Safety Practice Manual, in particular, the section on active effort.¹ The AASW accepts the leadership of Secretariat of National Aboriginal and Islander Child Care (SNAICC) and the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) on this subject matter. We further refer the Committee to their position papers detailing the ways in which active effort can be embedded upon referral and assessment.² We recommend the Queensland government to further consult and collaborate with

¹ Queensland Government 2019. 'Child Protection Manual: active efforts', accessed 29th Sept 2021, available at: <https://cspm.csyw.qld.gov.au/practice-kits/safe-care-and-connection/child-placement-principle/responding/active-efforts>

² SNAICC 2019. *Aboriginal and Torres Strait Islander Child Placement Principle: a guide to support implementation*, p. 8-11, 20-24, Melbourne; Australia.



Aboriginal community-controlled organisations to strengthen the implementation of this provision upon its passage.

2. The introduction of participation principles for children to participate in decision-making

The AASW also supports the Bill's amendment to Section 5E of *Child Protection Act 1999* (QLD), providing a set of conditions in which a child's expression of their best interest will be genuinely listened and engaged in the making of a decision. The provision strengthens the right of a child to be informed and to engage in the critical discussion that impacts their lives. While the Bill provides the right of children to choose how they participate and with who, it is in our view that children should be offered an independent support person in the first instance, such as a social worker or a support person, to ensure their views are communicated effectively and sufficiently listened. The AASW welcomes the opportunity to work with the Department to develop resources for child protection workers to create an enabling environment for children who decide to participate in decision-making.

Final comment: social work registration

The AASW has been advocating for the registration of social workers in Queensland. The Coroner's report into Mason Jet-Lee's death details the horrific abuse and neglect he suffered, highlighting a systematic failure on every level. For families that come into the child protection system, it can be due to a complex set of circumstances, and it is vital that they receive supports from highly trained and skilled professionals. Unfortunately, this is not the case in Queensland.

The registration of the social work profession will protect the public by ensuring that people working as social workers have completed an accredited social work degree, that they have the required competencies and that they maintain their level of skill. While it falls out of the scope of this inquiry, we highly recommend the Queensland government to introduce a social work registration scheme in Queensland. We are glad to inform the Committee that the report to the *Social Workers Registration Bill 2018* (SA) has been accepted in the South Australia parliament. The AASW welcomes the opportunity to work with Queensland government to develop a similar scheme to protect vulnerable children in Queensland.



AASW

Australian Association
of Social Workers

If you would like to discuss any matters raised in our submission, please contact Rachel Reilly (Social Policy and Advocacy Manager) via [REDACTED].

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Yasmin Dunn', is written in a cursive style.

Yasmin Dunn

AASW QLD Branch President