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**Please reply to:** Brisbane office

6 October 2021

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

**By email:** [CSSC@parliament.qld.gov.au](mailto:CSSC@parliament.qld.gov.au)

Dear Community Support and Services Committee,

## **Submission on the Child Protection Reform and Other Legislation Amendment Bill 2021**

We thank the Community Support and Services Committee for the opportunity to make a submission on the Child Protection Reform and Other Legislation Amendment Bill 2021 ('the Bill').

We have no concerns about our submission being published.

### **About knowmore**

knowmore is a national, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse, including institutional child sexual abuse.

Our service was established in 2013 as to assist people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). Since 1 July 2018, knowmore has been funded by the

Australian Government<sup>1</sup> to deliver legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme.

## Our clients in Queensland

knowmore has a significant client base in Queensland— 31% per cent of our current clients reside in the state.<sup>2</sup> Many of these clients were sexually abused as children living in out-of-home care. We therefore have a strong interest in reforms to Queensland’s child protection legislation.

## knowmore’s overall position

knowmore welcomes the Queensland Government’s commitment to reforming the state’s child protection and family support system. knowmore supports the overall intent of the proposed reforms. We are particularly pleased to see the Bill’s focus on strengthening children’s voices in child protection decisions that affect them. The Royal Commission noted that “where children do not feel listened to, they are less likely to report abuse and to have their reports taken seriously”.<sup>3</sup> Having no voice, and the consequent lack of safety, was a common experience for many of the clients we assisted during the Royal Commission who were abused in out-of-home care. knowmore therefore strongly supports reforms that will ensure children and young people are able to meaningfully contribute to and participate in decision-making about their lives.

In considering the proposed reforms, knowmore has reflected closely on key findings and recommendations from the Royal Commission, in addition to its own work with survivors of child sexual abuse. knowmore made a previous submission to the former Department of Child Safety, Youth and Women on the proposed reforms to the *Child Protection Act 1999* and the options outlined in the July 2019 discussion paper.<sup>4</sup> We reiterate some of the key points from this submission below, and provide additional commentary on areas we believe require further consideration. To this end, we have included a table at the conclusion of our submission that maps the Queensland Government’s response to the recommendations from the Royal Commission.

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<sup>1</sup> Represented by the Attorney-General’s Department and the Department of Social Services, knowmore also receives funding to deliver financial counselling services to people participating in the NRS, and to work with other services in the NRS support network to support and build their capability.

<sup>2</sup> As at 31 August 2021. See knowmore, [National infographic August 2021](#).

<sup>3</sup> Royal Commission, *Final Report: Volume 12*, p. 292.

<sup>4</sup> knowmore submission, [Rethinking rights and regulation: Options for changes to the Child Protection Act 1999 Submission to the Department of Child Safety, Youth and Women](#), 26 September 2019.

We encourage the Queensland Government to take all necessary steps to ensure that the Royal Commission's recommendations are embedded in Queensland legislation and practice to better ensure the safety and wellbeing of Queensland's children.

## Aboriginal and Torres Strait Islander Child Placement Principle

The 2020 Family Matters report found that Aboriginal and Torres Strait Islander children in Queensland are 8.8 times more likely to be removed from their families by child protection services than non-Indigenous children.<sup>5</sup> The report also demonstrated that compared with other jurisdictions, Queensland had the second lowest placement of Aboriginal children with Aboriginal and Torres Strait Islander carers (34.2%).<sup>6</sup>

While the rate of removal of Aboriginal and Torres Strait Islander children in Queensland is lower than some states and territories, it remains high. In order to help reduce the current rate of overrepresentation it is important that continuous progress be made to achieve compliance with each element of the Aboriginal and Torres Strait Islander Child Placement Principle. knowmore therefore strongly supports the proposed amendments which will embed the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle in Queensland legislation.

knowmore welcomes the proposed amendment to section 6AA(2)(a) to replace the concept of "having regard to" the Child Placement Principle with the more proactive concept of applying "active efforts" in relation to the Child Placement Principle.

However, we suggest that in order to achieve meaningful change and to measure improvements over time, a mechanism to monitor and evaluate the extent to which full implementation of and compliance with the Aboriginal and Torres Strait Islander Child Placement Principle is achieved in practice is essential. This is particularly important in light of previous findings of significant non-compliance with the Child Placement Principle.<sup>7</sup>

The Queensland Government's third annual progress report on the Royal Commission, released in May 2021, provides:

*Over 2020, the Department of Children, Youth Justice and Multicultural Affairs continued to support the full implementation of the Aboriginal and Torres Strait Islander Child Placement Principle. This includes working with other jurisdictions*

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<sup>5</sup> The Family Matters Report 2020, Measuring trends to turn the tide on the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care in Australia, p. 12.

<sup>6</sup> *ibid*, The Family Matters Report Card, p. 18.

<sup>7</sup> Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report Volume 12*, pp. 330–332.

*towards improving national data collection so we can improve our understanding of the application of the principle as well as its outcomes for safely reunifying children and young people in care with their families.*<sup>8</sup>

It is our view that a monitoring mechanism would form an important part of assessing the progress data collected, and in increasing the likelihood of the amendments achieving their intended purpose. Furthermore, the results of this ongoing monitoring work should be regularly reviewed and audited in order to promote full compliance with the Aboriginal and Torres Strait Islander Child Placement Principle in Queensland and to identify and address specific shortcomings.

## Carers' register

The Bill addresses many outstanding recommendations from the Royal Commission, including recommendations 8.17-8.23 regarding the establishment of a carers' register. The Bill provides for a regulation, rather than the Act, to prescribe the information to be included in the carers' register. We note the reason advanced for this is the element of flexibility provided, as agreement is reached about national consistency.

The Royal Commission made recommendations as to the types of information, at a minimum, which should be recorded on the register and which must be made available to agencies or bodies with responsibility for assessing, authorising or supervising carers (recommendations 8.17 and 8.19, set out below). knowmore encourages the Queensland government to advance progress of these recommendations when engaging in any discussions to reach a nationally consistent carers' register.

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<sup>8</sup> Queensland Government third annual progress report: Royal Commission into Institutional Responses to Child Sexual Abuse, December 2020, p 21.

**Recommendation 8.17**

State and territory governments should introduce legislation to establish carers registers in their respective jurisdictions, with national consistency in relation to:

- a. the inclusion of the following carer types on the carers register:
  - i. foster carers
  - ii. relative/kinship carers
  - iii. residential care staff
- b. the types of information which, at a minimum, should be recorded on the register
- c. the types of information which, at a minimum, must be made available to agencies or bodies with responsibility for assessing, authorising or supervising carers, or other responsibilities related to carer suitability and safety of children in out-of-home care.

**Recommendation 8.19**

State and territory governments should consider the need for carers registers to include, at a minimum, the following information (register information) about, or related to, applicant or authorised carers, and persons residing on the same property as applicant/authorised home-based carers (household members):

- a. lodgement or grant of applications for authorisation
- b. status of the minimum checks set out in Recommendation 12.6 as requirements for authorisation, indicating their outcomes as either satisfactory or unsatisfactory
- c. withdrawal or refusal of applications for authorisation in circumstances of concern (including in relation to child sexual abuse)
- d. cancellation or surrender of authorisation in circumstances of concern (including in relation to child sexual abuse)
- e. previous or current association with an out-of-home care agency, whether by application for authorisation, assessment, grant of authorisation, or supervision
- f. the date of reportable conduct allegations, and their status as either current, finalised with ongoing risk-related concerns, and/or requiring contact with the

## Support and training for approved carers

In furtherance of our support for a carers' register as outlined above, knowmore also emphasises the need for proper support and adequate training for approved carers, as

proposed by the Bill. knowmore recognises that the role of carers is multi-faceted, challenging and can also be a role that is a safeguard to prevent children from experiencing abuse.

In its 2004 *Protecting Children* report, Queensland's (then) Crime and Misconduct Commission noted these support needs and the importance of providing carers with suitable training supports:

*Currently foster carers are not receiving adequate training for dealing with the challenging behaviour of many children who are entering care. This results in high levels of parenting stress and difficulty in retaining carers within the foster care system, which in turn results in children having more unstable placements. There is a clearly identified need for foster carer training to (i) use evidence-based training programs (ii) specifically include parent training and (iii) include a tiered level of training to match carers' competencies with the needs of different children. Effective training courses will improve carers' skills and abilities to deal with children's negative behaviour and so facilitate satisfying long-term outcomes for foster children.<sup>9</sup>*

The Explanatory Notes to the Bill provide:

*The Bill also inserts a new provision into the Act that requires the chief executive to provide an approved carer with, or make sure an approved carer has access to, support to assist them to meet the needs of a child in their care, and that support must be provided to a level the chief executive considers appropriate in the circumstances.<sup>10</sup>*

Further, the Explanatory Notes describe that the appropriate support for carers may include:

- access to training to maintain or develop their ability to care for children;
- information about financial assistance for approved carers;
- access to advice and assistance;
- access to respite care; and

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<sup>9</sup> Crime and Misconduct Commission, *Protecting Children: An Inquiry into Abuse of Children in Foster Care*, January 2004. Report summary, at p.14 (Recommendations 7.19 – 7.21). Viewed at <https://www.ccc.qld.gov.au/sites/default/files/Docs/Public-Hearings/Abuse-of-children-in-foster-care/Protecting-children-report-summary-2004.pdf>

<sup>10</sup> Explanatory Memorandum, p 17.

- access to a support person.<sup>11</sup>

knowmore agrees that appropriate support for carers must include access to relevant training to maintain and develop carers' ability to care for children. In particular, we emphasise the importance of this in situations where children in care may have previously experienced sexual abuse or may otherwise be at risk of experiencing such abuse. In our work assisting survivors of institutional child sexual abuse, knowmore recognises the crucial importance of all staff undertaking trauma-informed practice and cultural awareness training. Knowledge of trauma informed practice is central to ensuring that survivors receive the best possible support and assistance:

“[T]rauma-informed care and practice recognises the prevalence of trauma and its impact on the emotional, psychological and social wellbeing of people and communities”.<sup>12</sup>

In order to ensure the appropriate ongoing care of children who have been abused, carers must be adequately trained in trauma-informed care. knowmore submits that principles in support of this should be embedded in the proposed section 148E of the Bill, which outlines that it is the chief executive's responsibility to provide support and training to approved carers. In particular, section 148E(3)(a) provides that in doing so, the chief executive need only comply with such support, insofar as they consider it is reasonably practicable to do so, and the support or training is appropriate in the circumstances. We submit that consideration should be given as to whether these proposed reforms go far enough to meet the full intent of the Royal Commission's recommendations, and the complex support and training needs of carers.

knowmore therefore submits that trauma-informed practice training and support should be provided to all prospective carers, in every instance, irrespective of whether the chief executive deems it appropriate in the circumstances of the specific placement to do so. We make this submission in view of the knowledge that care arrangements can often happen with little notice and preparation. This means that by the time a child comes into contact with a carer, it is not always reasonably practicable for the carer to undergo training once the care arrangement is already established. Therefore, carers should be trained and supported in a way that they are prepared to appropriately care for any vulnerable child that comes into their care, before the arrangement is made.

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<sup>11</sup> *ibid.*

<sup>12</sup> Blue Knot Foundation, *Trauma-informed Care and Practice*, available [here](#).

## Outstanding recommendations of the Royal Commission

We are pleased to see some of the recommendations of the Royal Commission being considered by this Bill, given the importance of these recommendations to our client group and our commitment to seeing them implemented. However, we note that many of the Royal Commission's recommendations remain outstanding or have not yet been fully and clearly implemented by the Queensland government. These include:

- The Child Safe Standards (Recommendations 6.4 to 6.6 and 6.8 to 6.11).
- The accreditation of out-of-home care service providers (Recommendations 12.4 and 12.5).
- Carer authorisation (Recommendations 12.6 to 12.8).

Legislative changes to strengthen children and young people's voices in decision-making should also have regard to the Royal Commission's Child Safe Standards. In particular, knowmore recommends that particular consideration be given to how especially vulnerable children — including Aboriginal and Torres Strait Islander children and children with disability — are given roles in decision-making. This is consistent with Standard 4: Equity is upheld and diverse needs are taken into account.

The Royal Commission discussed the role of children in decision-making in its final recommendations, noting that children should “participate in decisions affecting them and [be] taken seriously”, as outlined in Standard 2. In practice, this requires that due regard is given to how children communicate and which environments can help foster better interaction and communication with children. Addressing aspects like these will help to ensure that all children are given the opportunity to meaningfully participate in decision making.

knowmore therefore recommends that consideration be given to amending section 5E of the Bill to explicitly include a provision regarding the participation of especially vulnerable children. Such provision should include considerations of trauma, disability and cultural and linguistic diversity that a child may have or be experiencing. The Royal Commission's guidance for implementing the Child Safe Standards may be helpful in this respect.

### Child safe standards

The Queensland Government's third annual progress report on the Royal Commission released in May 2021 provides:

*In our first annual progress report, the Queensland Government accepted the child safe standards as informing best practice for departments that provide services to*



*children. In 2020, departments continued the work of incorporating child safe standards into relevant policies, procedures, practices and cultures and, importantly, identified areas of strength, gaps and key priorities.<sup>13</sup>*

The report further states:

*The Department of Children, Youth Justice and Multicultural Affairs is considering and developing options for implementation and oversight of child safe standards in Queensland, with the Department of Justice and Attorney-General working on options for a Queensland Reportable Conduct Scheme. In 2021, both departments will continue to work closely together to ensure coordinated thinking about the possibilities for regulation and oversight in Queensland, and engage with key stakeholders about this work.<sup>14</sup>*

The Royal Commission's view was that compliance with the Child Safe Standards must be made mandatory, with each state and territory to establish clear legislative requirements for all institutions engaged in child-related work. The Child Safe Standards are intended to apply to all sectors and institutions engaged in child-related activities, and they are a critical foundation for other work in response to the Royal Commission's recommendations; this includes recommendation 12.4 (see the Appendix).

Although the Child Safe Standards have been incorporated into the new National Principles for Child Safe Organisations, which were endorsed by all Australian governments in February 2019, knowmore's view is that the Bill could go further to explicitly embed the Royal Commission's Child Safe Standards across all sectors and institutions engaged in child-related activities.

We therefore submit that before the Bill is passed, it incorporates more effective measures that ensure compliance with the Child Safe Standards, in line with the Royal Commission's recommendations.

### **Streamlining, clarifying and improving the regulation of care**

The Bill intends to streamline, clarify, and improve the regulation of care by:

- providing that the chief executive may request expanded criminal history information for the purpose of assessing the suitability of a person to be a provisionally approved carer (and adult members of the person's house)

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<sup>13</sup> Queensland Government's third annual progress report on the Royal Commission, May 2021, p. 13.

<sup>14</sup> Ibid, p. 14.

- providing for carer certificates to be renewed every three years rather than every two years
- streamlining carer assessment processes for existing kinship carers
- clarifying the operational reporting requirements for foster and kinship carers
- establishing the legislative framework for a carers' register
- strengthening the carer support framework
- ensuring that carers and licensees are provided with all relevant information to allow them to make informed decisions about placements and provide appropriate care
- clarifying that a licence may be amended to add or remove a licensed premise
- removing a requirement for amended, suspended or cancelled licences to be returned to the chief executive.

While knowmore supports the Bill's aims to streamline, clarify and improve the regulation of care, we submit that these efforts must be developed in line with the Royal Commission's recommendations in order to actually improve the care of children. In our previous submission on the reform options outlined in the July 2019 discussion paper, we raised the importance of the Royal Commission's recommendations 12.4-12.8, which cover contemporary out of home care situations. We note that those recommendations, while vital, are not addressed in the Explanatory Notes of the Bill.

The reforms contained in the Bill primarily refer to changes to the regulation of care, with a focus on the management and regulation of carers. The narrow focus of the Bill means that it does not more comprehensively address crucial care needs of vulnerable children, consistent with the objectives contained in recommendations 12.4-12.8 of the Royal Commission. While we recognise that the streamlining and clarifying aims outlined above are important, priority should be given to reforms that implement these recommendations, and we reiterate the comments made in our previous submission to this effect.

## Conclusion

knowmore welcomes the reforms contained in the Bill, noting those aimed at reinforcing children's rights in the legislative framework, strengthening children's voices in decisions that affect them and reshaping the regulation of care. The amendments in this Bill, if passed, will see Queensland progress implementation of a number of the Royal Commission's recommendations.

In a number of areas, however, we have identified ways in which we consider the Bill needs to be changed, or other legislative reform pursued as a matter of priority, to truly deliver on the intent of all of Royal Commission's relevant recommendations. In the absence of strong reforms in line with the full range of the Royal Commission's recommendations, Queensland children will continue to be at risk of harm in institutional and other care settings. The

consequence of delay in fully implementing the Royal Commission's recommendations is the continuation of a child protection system that is not as responsive to the needs of the most vulnerable children as it could be.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'W. Strange', written in a cursive style.

**WARREN STRANGE**

Chief Executive Officer

## Appendix: Key recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse

Table A.1: Key recommendations from the Royal Commission's Final Report and the Queensland Government's response

Volume	Recommendation	Queensland Government response
Making institutions child safe	<p><i>Recommendation 6.4</i></p> <p>All institutions should uphold the rights of the child. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions should act with the best interests of the child as a primary consideration. In order to achieve this, institutions should implement the Child Safe Standards identified by the Royal Commission.</p>	Accepted in principle
Making institutions child safe	<p><i>Recommendation 6.5</i></p> <p>The Child Safe Standards are:</p> <ol style="list-style-type: none"> <li>1. Child safety is embedded in institutional leadership, governance and culture</li> <li>2. Children participate in decisions affecting them and are taken seriously</li> <li>3. Families and communities are informed and involved</li> <li>4. Equity is upheld and diverse needs are taken into account</li> <li>5. People working with children are suitable and supported</li> <li>6. Processes to respond to complaints of child sexual abuse are child focused</li> <li>7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training</li> <li>8. Physical and online environments minimise the opportunity for abuse to occur</li> <li>9. Implementation of the Child Safe Standards is continuously reviewed and improved</li> <li>10. Policies and procedures document how the institution is child safe.</li> </ol>	Accepted in principle

<p>Making institutions child safe</p>	<p><i>Recommendation 6.6.</i></p> <p>Institutions should be guided by the following core components when implementing the Child Safe Standards:</p> <p><b>Standard 1: Child safety is embedded in institutional leadership, governance and culture</b></p> <ul style="list-style-type: none"> <li>a. The institution publicly commits to child safety and leaders champion a child safe culture.</li> <li>b. Child safety is a shared responsibility at all levels of the institution.</li> <li>c. Risk management strategies focus on preventing, identifying and mitigating risks to children.</li> <li>d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.</li> <li>e. Staff and volunteers understand their obligations on information sharing and recordkeeping.</li> </ul> <p><b>Standard 2: Children participate in decisions affecting them and are taken seriously</b></p> <ul style="list-style-type: none"> <li>a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.</li> <li>b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.</li> <li>c. Children can access sexual abuse prevention programs and information.</li> <li>d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.</li> </ul> <p><b>Standard 3: Families and communities are informed and involved</b></p> <ul style="list-style-type: none"> <li>a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.</li> <li>b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.</li> </ul>	<p>Accepted in principle</p>
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	<ul style="list-style-type: none"> <li>c. Families and communities have a say in the institution's policies and practices.</li> <li>d. Families and communities are informed about the institution's operations and governance.</li> </ul> <p><b>Standard 4: Equity is upheld and diverse needs are taken into account</b></p> <ul style="list-style-type: none"> <li>a. The institution actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities.</li> <li>b. All children have access to information, support and complaints processes.</li> <li>c. The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.</li> </ul> <p><b>Standard 5: People working with children are suitable and supported</b></p> <ul style="list-style-type: none"> <li>a. Recruitment, including advertising and screening, emphasises child safety.</li> <li>b. Relevant staff and volunteers have Working With Children Checks.</li> <li>c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.</li> <li>d. Supervision and people management have a child safety focus.</li> </ul> <p><b>Standard 6: Processes to respond to complaints of child sexual abuse are child focused</b></p> <ul style="list-style-type: none"> <li>a. The institution has a child-focused complaint-handling system that is understood by children, staff, volunteers and families.</li> <li>b. The institution has an effective complaint-handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.</li> <li>c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.</li> </ul> <p><b>Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training</b></p> <ul style="list-style-type: none"> <li>a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse.</li> </ul>	
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Volume	Recommendation	Queensland Government response
	<ul style="list-style-type: none"> <li>a. Staff and volunteers receive training on the institution's child safe practices and child protection.</li> <li>b. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.</li> </ul> <p><b>Standard 8: Physical and online environments minimise the opportunity for abuse to occur</b></p> <ul style="list-style-type: none"> <li>a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development.</li> <li>b. The online environment is used in accordance with the institution's code of conduct and relevant policies.</li> </ul> <p><b>Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved</b></p> <ul style="list-style-type: none"> <li>a. The institution regularly reviews and improves child safe practices.</li> <li>b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement.</li> </ul> <p><b>Standard 10: Policies and procedures document how the institution is child safe</b></p> <ul style="list-style-type: none"> <li>a. Policies and procedures address all Child Safe Standards.</li> <li>b. Policies and procedures are accessible and easy to understand.</li> <li>c. Best practice models and stakeholder consultation inform the development of policies and procedures.</li> <li>d. Leaders champion and model compliance with policies and procedures.</li> <li>e. Staff understand and implement the policies and procedures</li> </ul>	
Making institutions child safe	<p><i>Recommendation 6.8</i></p> <p>State and territory governments should require all institutions in their jurisdictions that engage in child-related work to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.</p>	For further consideration

Volume	Recommendation	Queensland Government response
Making institutions child safe	<p><i>Recommendation 6.9</i></p> <p>Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:</p> <ul style="list-style-type: none"> <li>a. accommodation and residential services for children, including overnight excursions or stays</li> <li>b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children</li> <li>c. childcare or childminding services</li> <li>d. child protection services, including out-of-home care</li> <li>e. activities or services where clubs and associations have a significant membership of, or involvement by, children</li> <li>f. coaching or tuition services for children</li> <li>g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions</li> <li>h. services for children with disability</li> <li>i. education services for children</li> <li>j. health services for children</li> <li>k. justice and detention services for children, including immigration detention facilities</li> <li>l. transport services for children, including school crossing services.</li> </ul>	Accepted in principle



Volume	Recommendation	Queensland Government response
Making institutions child safe	<p><i>Recommendation 6.10</i></p> <p>State and territory governments should ensure that</p> <ol style="list-style-type: none"> <li>an independent oversight body in each state and territory is responsible for monitoring and enforcing the Child Safe Standards. Where appropriate, this should be an existing body.</li> <li>the independent oversight body is able to delegate responsibility for monitoring and enforcing the Child Safe Standards to another state or territory government body, such as a sector regulator.</li> <li>regulators take a responsive and risk-based approach when monitoring compliance with the Child Safe Standards and, where possible, utilise existing regulatory frameworks to monitor and enforce the Child Safe Standards.</li> </ol>	Accepted in principle
Making institutions child safe	<p><i>Recommendation 6.11</i></p> <p>Each independent state and territory oversight body should have the following additional functions:</p> <ol style="list-style-type: none"> <li>provide advice and information on the Child Safe Standards to institutions and the community</li> <li>collect, analyse and publish data on the child safe approach in that jurisdiction and provide that data to the proposed National Office for Child Safety</li> <li>partner with peak bodies, professional standards bodies and/or sector leaders to work with institutions to enhance the safety of children</li> <li>provide, promote or support education and training on the Child Safe Standards to build the capacity of institutions to be child safe</li> <li>coordinate ongoing information exchange between oversight bodies relating to institutions' compliance with the Child Safe Standards.</li> </ol>	Accepted in principle

Volume	Recommendation	Queensland Government response
Contemporary out-of-home care	<p><i>Recommendation 12.4</i></p> <p>Each state and territory government should revise existing mandatory accreditation schemes to:</p> <ul style="list-style-type: none"> <li>a. incorporate compliance with the Child Safe Standards identified by the Royal Commission</li> <li>b. extend accreditation requirements to both government and non-government out-of-home care service providers.</li> </ul>	Accepted in principle
Contemporary out-of-home care	<p><i>Recommendation 12.5</i></p> <p>In each state and territory, an existing statutory body or office that is independent of the relevant child protection agency and out-of-home care service providers, for example a children's guardian, should have responsibility for:</p> <ul style="list-style-type: none"> <li>a. receiving, assessing and processing applications for accreditation of out-of-home care service providers</li> <li>b. conducting audits of accredited out-of-home care service providers to ensure ongoing compliance with accreditation standards and conditions.</li> </ul>	Accepted in principle
Contemporary out-of-home care	<p><i>Recommendation 12.6</i></p> <p>In addition to a National Police Check, Working With Children Check and referee checks, authorisation of all foster and kinship/relative carers and all residential care staff should include:</p> <ul style="list-style-type: none"> <li>a. community services checks of the prospective carer and any adult household members of home-based carers</li> <li>b. documented risk management plans to address any risks identified through community services checks</li> </ul>	Accepted in principle

Volume	Recommendation	Queensland Government response
	c. at least annual review of risk management plans as part of carer reviews and more frequently as required.	
Contemporary out-of-home care	<i>Recommendation 12.7</i> All out-of-home care service providers should conduct annual reviews of authorised carers that include interviews with all children in the placement with the carer under review, in the absence of the carer.	Accepted in principle
Contemporary out-of-home care	<i>Recommendation 12.8</i> Each state and territory government should adopt a model of assessment appropriately tailored for kinship/relative care. This type of assessment should be designed to: <ul style="list-style-type: none"> <li>a. better identify the strengths as well as the support and training needs of kinship/relative carers</li> <li>b. ensure holistic approaches to supporting placements that are culturally safe</li> <li>c. include appropriately resourced support plans.</li> </ul>	Accepted in principle

## Sources:

Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report Volume 6*, Making institutions child safe.

Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report Volume 12*, Contemporary out-of-home care.

Queensland Government's third annual progress report on the Royal Commission, May 2021.