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Sue Cawcutt
Committee Secretary
Education, Employment and Small Business Committee

Working with Children Legislation (Indigenous Communities) Amendment Bill 2018

The Australian Association of Social Workers Queensland Branch respectfully thanks the Committee for the opportunity to appear as witnesses at the Public Hearing into the Inquiry into the Working with Children Legislation (Indigenous Communities) Amendment Bill 2018. We are pleased to provide the following additional information as requested.

Recommendation for building capacity in Aboriginal and Torres Strait Islander Community

We recognise the Committee is focused on finding solutions to the issues experienced by Aboriginal and Torres Strait Islander people in accessing Blue Cards in Queensland. The systemic and structural issues that have led to this situation are embedded in our history of colonization and there is no quick fix to what is a long standing problem. Without a focused, sustainable and meaningful strategy to address the structural issues, any short-term solution is not going to achieve the outcome that the Committee and indeed all witnesses at the public hearing are wanting.

A more holistic strategy that moves beyond the working with children check to finding ways of empowering and supporting communities is needed. Such a strategy involves working closely with Indigenous communities, as has already been well recognized in the past, in order to build capacity, strengthen community, and strengthen economic, educational, employment and social outcomes. In other words, a whole of government approach is required. While this is not a new idea, we argue that it has not been effectively achieved to date. We need greater and long-term investments in communities to build capacity, heal and strengthen.

We urge the Committee to take this opportunity to work on the broader and structural issues that continue to result in an over representation of Aboriginal and Torres Strait Islander people in our justice systems. Without doing so, we are tinkering around the edges when it comes to processes like Blue Cards. Importantly, any strategies need to be developed with communities who will be directly impacted by this and with those with cultural authority to do so within community.

There are a number of strategies currently being actioned that have been recommended by the Queensland Family & Child Commission (QFCC) Review of the blue card system report and the Royal Commission into Institutional Responses to Child Sexual Abuse that are already being actioned. Our view is that full implementation and commitment to the following recommendations from these reports will provide some of the outcomes that are desired.

1. Recommendation 73 of the QFCC's (2017) report identified a range of strategies to build capacity and better support Indigenous communities in ensuring a child safe environment.
In particular, we support the development of multi-disciplinary, and culturally inclusive decision-making models that assess whether there is a risk of harm to children. These models should include providing more support for applicants throughout the process, and building the capacity to support Indigenous communities to understand and navigate the processes involved. We believe these recommendations can be implemented through changes in Government policy and practice, and would not be supported by the legislative framework outlined in the Private Members Bill.
2. We suggest that there needs to be more detailed discussion about how appeals are managed and appropriate access to support is provided for people living in regional and rural communities. At a practical level, this generally involves providing on the ground support to regional and rural locations. Addressing appeals backlogs may involve examining the current resourcing of community legal services and the resourcing of the Queensland Civil and Administrative Tribunal to determine how this process can be improved.
3. In addition to the development of new resources and visits to remote communities, Blue Card Services have intensified their efforts to increase the level of engagement of Aboriginal and Torres Strait Islander applicants. This has involved the work of a dedicated team with identified positions to assist applicants throughout the application and assessment processes. These teams may also draw on the support of Community Justice Groups to provide on the ground support. This will need appropriate resourcing, and capacity building for community.

The implementation of these initiatives has seen an ongoing increase in the level of engagement in the Blue Card system of applicants from remote Aboriginal and Torres Strait Islander communities. This is evidenced by a decrease in the number of applications being withdrawn during the application or assessment process from 17.8% in 2015–16 (prior to the implementation of the initiative), to 2.4% in 2017–18. We recommend the Government continues to support this initiative and ensure it is appropriately resourced.

4. The above statistics demonstrate that additional and dedicated resources to improve access to the Blue Card system for Aboriginal and Torres Strait Islander people can have positive results. We recommend that at a practical level the Government continues to support and appropriately resource the work that the Department of Justice and Attorney General has already commenced. We also recommend that there are clear timeframes to roll out these strategies and that they are evaluated through regular reporting to ensure transparency and critical review of progress and effectiveness.

We trust this is valuable to the Committee in its ongoing deliberations and thank the Committee again for the opportunity to contribute to this important work.

Yours sincerely,



Ellen Beaumont
Queensland Branch President