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Committee Secretary
Health, Communities, Disability Services, and Domestic and Family Violence Prevention
Committee
By email to hcdfsdfvpc@parliament.qld.gov.au

Dear Committee Secretary,

Child Protection Reform Amendment Bill 2017 (Qld)

Thank you for the opportunity to provide comments on the *Child Protection Reform Amendment Bill 2017* (Cth) (the Bill). The Aboriginal and Torres Strait Islander Community Health Service Brisbane (ATSICHS) would like to respond to several aspects of the Bill, with specific focus on those relating to section 6 defining the independent Aboriginal and Torres Strait Islander entity and the focus on family lead decision making within the child protection system.

ATSICHS is one of the largest Indigenous community controlled organisations in Queensland, and the second oldest community controlled organisation in Australia, established in 1973. ATSICHS delivers a range of services that include Child Protection (Recognised Entity, Family Support, Foster and Kinship Care services), Primary Health Care; Child and Maternal Health; Child/Parental Mental Health, Dental; Allied Health; Mental Health; Kindergartens; and crisis accommodation for vulnerable woman and children (Joyce Wilding Hostel).

ATSICHS has a workforce of 250 people with over 50% of whom are Aboriginal or Torres Strait Islander, and comprising practitioners across disciplines and service areas with significant expertise and experience of working with at-risk Aboriginal and Torres Strait Islander families. In addition, the ATSICHS Board comprises over 85% Board of Directors holding a university degree qualification, with three (3) Directors holding a Master's Degree qualification. The ATSICHS Senior Management Team (SMT) are equally skilled with all SMT members holding degree qualifications from a professional background.

I. Self Determination: More Liberty, Less Control

If the Carmody inquiry has taught us anything, it is that the Queensland child protection system is not working well for Aboriginal and Torres Strait Islander children and families. The



system has the potential of improving safety, raising people's standard of living, self-realisation, and inclusion in civic responsibility and community safety. Or, as we have witnessed over the past fifteen years, it can disengage families from the processes that are supposed to provide support, empowerment and protection, and create a community discourse of – us vs. them – families vs. the Department. In response, the assumption that many previous bureaucrats concluded was that the Department requires taut control and regulation — and more of it.

Considered, consistent, and state coordinated regulation in child protection is warranted — to a certain limit. But it will not address the fundamental behavioural dynamic at the core of the growing discontent from Aboriginal and Torres Strait Islander families and communities. The fact is, the child protection system exerts control over families and, in turn, removes the authority and liberty of parents to fulfil their responsibility as active decision makers when in contact with the Queensland child protection system.

The proposed Reform Amendment Bill is a welcomed step forward in building parental and community responsibility. The Bill relating to Clause 7 (s5C(1)(a)), recognising the right to self-determination embraces the possibility of new solutions to old problems that is steeped in a risk-averse child protection system — often passing blame and not building responsibility.

Self-determination in its purest form is about responsibility. Self-determination is about a broad set of outcomes around empowering families and the reduction of passivity in Aboriginal and Torres Strait Islander communities. It is realised in the concepts of independent thinking, freedom to exercise control, and right to meaningful participation; it is about a family's liberty to participate in decisions that self determine their own path in its truest sense. Self-determination is ultimately about building family responsibility, not government control that impede family led decision making and empowerment. ATSICHS strongly recommends that self-determination is the basis of Clause 7.

II. ***Independent Entity: A Common Purpose with Common Sense***

According to the Carmody inquiry, the adversarial and risk averse nature of the child protection system has contributed heftily to the increasing rates of Aboriginal and Torres Strait Islander children in the out-of-home-care system. The adversarial culture of control and authority over people's liberty has crept into the design and delivery of services, most notably the Recognised Entity program.

ATSICHS delivers the current Recognised Entity program. In the current funding schedule, the service users are the Department — not families or children. The Recognised Entity program has been setup in a manner that supports a system, as opposed to supporting families and children directly, as noted in the Funding Schedule:



1.1.5 Service Users

Department of Communities Child Safety Staff, particularly Child Safety Officers who work in Child Safety Service Centres.

**Taken directly from the ATSICHS Funding Schedule for the Recognised Entity program.*

Under the new Bill reforms, the Independent Entity must hold a stronger independent response in supporting and diverting families away from the child protection system. It is recommended that the Independent Entity explicitly support children and families. Aligning the common purpose of the Department and the NGO sector/Independent Entities – that is – the Independent Entity being a resource for children and families, not a resource to support a system is a common sense approach.

Overall, the reform Bill takes a step in the right direction. However the advancing positive change is hinged upon carrying forward the intent of self-determination and family led decision making. It is important that we build and recast our understanding about what self-determination truly reflects – an opportunity to build responsibility and family liberty in the transactional driven child protection system. The Bill reforms is the first opportunity to substantially make impact in reducing the rates of over representation.

We hope that this information assists and look forward to progressing feedback with the Committee. For further information, please contact myself

Regards,

Jody Currie,
Chief Executive Officer

