



Speech by

KAREN STRUTHERS

MEMBER FOR ARCHERFIELD

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FAMILY SERVICES AMENDMENT BILL

Ms STRUTHERS (Archerfield—ALP) (5.11 p.m.): When we were kids it was drummed into us that we should be wary of strangers. Family and friends were trying to protect us from stranger danger, but the risks in our own backyard were not acknowledged publicly. It is a sad indictment on our community that children and adults are at greatest risk of harm from someone known to them. Most abuse occurs within the sanctity of the home and within an existing relationship, be it child to family member or child to caregiver of some kind, including people in positions of authority in community or sporting groups. The Government must play a lead role in ensuring that children and adults are not at risk within the care-giving roles provided by the State.

Our Government is serious about protecting children from harm. We set up the Forde inquiry and we introduced the new child protection legislation. Those two achievements are monumental. The Minister for Families, Youth and Community Care and Minister for Disability Services deserves much of the credit for these achievements. She is a Minister who continues to tackle complex and sensitive issues with a listening ear and an astute problem-solving capacity. The Family Services Amendment Bill is a further example of this capacity. The Minister is publicly acknowledging that children in the care of the department can, at times, be at risk of harm from those in positions of trust, departmental officers included. There are vulnerable children and adults in my electorate who are under some form of departmental care. I am sure that they and their families would support the Minister in acknowledging the risks and acting swiftly and effectively to minimise harm.

The Family Services Amendment Bill will, among other things, require applicants for departmental positions to identify criminal charges and convictions against them and give the department legislative authority to obtain Queensland Police Service information about offences and existing complaints that have been brought in respect of prospective employees. These provisions are not a Big Brother of the nineties. Mandatory checking of this type already exists for croupiers and taxi and bus drivers. These workers have far less responsibility for children than Family Services staff. The provisions will assist in screening out employees who will pose a risk to departmental clients, many of whom are vulnerable due to age, lack of family support, a disability or other life situation. They are often people with little power and few resources.

Valid civil liberty and privacy concerns exist in relation to the provisions in the Bill. To protect people's rights and liberties very thorough processes for natural justice are built into the legislation and will be central to departmental procedures and protocols. For instance, only preferred applicants—not all applicants—will be subject to criminal checks. It is important that people who have committed minor offences in the past are not forever punished. People must be given every opportunity to get on with their lives. They must be free to get a decent job so long as they do not pose a serious risk to other people, particularly those who are least able to protect themselves. Privacy concerns can be well managed while also enabling risk factors to be identified early. The Minister's proposals are light on relative to similar provisions in North American statutes that I have examined. For instance, in order to prevent the sexual abuse of vulnerable clients, the State of Minnesota passed Statute 148A in 1986, which compels non-Government and Government human services to obtain self-disclosure from applicants of their history regarding ethical and sexual abuse breaches. Further, organisations are

obliged to contact previous employers over the past five years to ask whether the applicant has carried out improper ethical or sexual behaviour in relation to clients.

There are many strategies that all Government and non-Government organisations ought to adopt to prevent sexual exploitation occurring within an employee/client relationship. These include effective recruitment practices, including past employer and security checks, binding ethical standards for employees in codes of conduct, and effective management of breaches of these ethical standards. For instance, we have heard far too many reports of people in authority—priests, scout leaders and others—who have simply been moved on rather than having their violations dealt with. In recent years, many courageous people have spoken out about sexual exploitation at the hands of adults in positions of authority. All too often the courage and capacity to speak out occurs years after the violation. This is not good enough. All children and adults must be safe from sexual exploitation. Community organisations, churches, health practitioners and Government agencies must all take effective steps to prevent child exploitation. Some organisations are well advanced with their anti-violence and anti-abuse protocols. Others are lagging well behind. I commend the prompt action by the Minister. I commend this Bill to the House and I encourage all relevant organisations to adopt effective practices and protocols to prevent violations of personal safety.
