




Speech By
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MEMBER FOR NANANGO

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**DISABILITY SERVICES (RESTRICTIVE PRACTICES) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mrs FRECKLINGTON** (Nanango—LNP) (3.23 pm): It is with pleasure that I rise to support the Disabilities Services (Restrictive Practices) and Other Legislation Amendment Bill 2013. I start by thanking the minister for bringing such important legislation before the House. Also, I thank the minister for visiting the wonderful electorate of Nanango a couple of weeks ago. The minister was able to provide comfort and support to many of our disability service workers at an event in Kingaroy. She met with many of the service providers from my electorate. It was a fantastic evening. It is so important that our government gets out of George Street and supports our support workers, for example, the ones in the disability services area. Again, I thank the minister for her time. I know that a lot of people in my area really appreciated the minister being available. It was fantastic that we were able to talk to so many of those people.

Before I get into the heart of the disability services bill, it is really important to mention the hard work of the disability support workers. There is a reason they work in such a difficult area. I acknowledge people such as Rosemary Braithwaite from Graham House in Murgon. In 2007, Rosemary founded the South Burnett disability art show, which is now an annual event. It is a fantastic event. I commend Rosemary for the hard work she has done over the years in relation to the art show. I acknowledge Craig Lucas, the chair of the organising committee. I congratulate Doug Henderson who has just retired after many years working with SB Care. His position has been ably taken over by Cheryl Dalton. It is wonderful that those people really understand the disability sector and are able to put on wonderful events such as the South Burnett disability art show. I congratulate all those hardworking locals from my electorate.

This bill amends the Disability Services Act 2006 and the Guardianship and Administration Act 2000 in relation to the use of restrictive practices by service providers that receive funding from our government. People who are subject to restrictive practices generally have intellectual or cognitive impairment and may have multiple disabilities. They are vulnerable people and, therefore, it is important that practices that restrict their rights are used with great care. I know that the minister has handled this matter very delicately.

There are several aspects to this new legislation, but in my role as assistant minister for regulatory reform I am keen to focus on the three key areas of red-tape amendments and how they will benefit both the service providers and, in turn, the clients they support. We came to government with a mandate to reduce red tape. It is fantastic when we get to stand in this House and tell the people of Queensland about the great work of our hardworking ministers. Red-tape reduction in this bill is important because it enables us to help service providers who are loaded up with extra paperwork. That also assists everyday Queenslanders, because administration costs are expensive for the people of Queensland and burdensome to government.

The first change that creates a significant reduction in red tape is the amendment to the definition of 'restrictive practices' in the current legislation. This amendment is about reducing the confusion that service providers have identified around understanding when a restrictive practice is classed as a restrictive practice and, therefore, when it requires authorisation. These amendments focus on inserting notes into the legislation that provide definitions. Defining all of these terms gives clarity to the service providers, which means that they need to be less tied up in burdensome administration. Instead, they can be working with their amazing clients. The notes are designed to provide clarity for providers. In the past it was the absence of clarity that resulted in some service providers applying for unnecessary approvals, which is time consuming and takes resources away from front-line client services.

Secondly, red tape will be reduced by streamlining the prescriptive requirements for positive behaviour support plans. At present in Queensland, nearly 600 adults are subject to restrictive practices and have a positive behaviour support plan. The behaviour support plan for an adult with an intellectual disability describes many strategies that meet the adult's needs; supports the adult's development skills; maximises opportunities through which the adult can improve their quality of life; and reduces the intensity, frequency and duration of the adult's behaviour that causes harm to the adult or to others.

It was interesting to note in the committee's review of these legislative amendments that it was advised that positive behaviour support plans can currently be up to 100 to 150 pages long. This is the type of reduction in red tape we have been talking about. Thank you to the minister for having the common sense to introduce this legislation. These amendments will see these plans reduced to 20 pages. The legislation is simplifying these plans. This will make it easier for service providers who, in many cases, are not actually employed for their administrative knowledge but for the way they provide services and provide for people's needs. This will simplify the process and will reduce the burden of paper work. The plans will become a practical tool which is what they were originally meant to be.

The third red-tape amendment that is worth mentioning in the House is that the bill focuses on providing flexibility to QCAT—the Queensland Civil and Administrative Tribunal—to approve the appointment of a restrictive practices guardian for up to two years. Currently, a guardian can only be appointed for one year, which means returning to the application process annually. Our service providers have raised concerns that the process for appointing and reviewing the appointment of guardians for restrictive practice diverts resources from the care of clients. To my mind, it is also extremely stressful for the families because they have to go through this process as well.

Granting flexibility to QCAT for the approval to be for up to two years is common sense. That is the principle that underlies a lot of the legislation that we have brought before this House. Whilst this bill makes this change it will ensure that safeguards are maintained and that appointments can be revoked if necessary.

There are many more red-tape-reduction initiatives that the minister has brought before the House in this bill. Again, this is part of a broader package of reforms aimed at improving the operation of the regulatory framework. The reforms focus on building the capacity of service providers to implement positive behaviour and maintain protections for clients.

I have some amazing providers in my electorate such as SB CTC, Kilcoy Country Companions, Blue Care disability services and St Mary's Centacare. We also have amazing local area coordinator Juliette McAleer. These providers provide an invaluable service to the disability sector within my region.

I congratulate the minister for this bill and the committee that reviewed this bill. This is what our government is about. It is about getting on with the business of providing services to the most needy in our communities. This is one bill that will enable our service providers to put the money where it should be and that is in the direction of clients.