




Speech By
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MEMBER FOR SOUTHPORT

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

 **Mr MOLHOEK** (Southport—LNP) (5.08 pm): It is a pleasure to rise this afternoon and speak in support of the Disability Services (Restrictive Practices) and Other Legislation Amendment Bill. I commend Minister Davis on the tremendous work that she, her colleagues and the department have done in bringing forward these legislative changes. As my colleagues are no doubt aware, it was my great pleasure in the first 12 months of government to spend a considerable amount of time travelling to various parts of the state with the minister not only visiting child safety service centres but visiting many of the wonderful disability service providers across Queensland. We went to places like Cairns, Townsville, Mackay, Bundaberg, Toowoomba and many places around the south-east and Brisbane. Of particular pleasure was visiting some of the service providers in my electorate like FSG and the Southport Special School. We spent time before the election visiting the school and speaking with the principal and some of the teachers and students at that school. We also visited the Musgrave Hill Preschool.

The people who work in the disability services sector are doing some great work, but what they do not need is the onerous burden of extra paperwork and the layers of complexity that were brought in by the previous government when the first legislation to regulate the use of restrictive practices was introduced in 2008 in response to a report by the Hon. William Carter. I note that back in January 2010 the member for Inala mentioned in a speech to the House that she had visited one of the disability service centres in Maryborough. She talked about sitting down with one of the workers and how the worker told her that it actually took six months to complete a comprehensive assessment in relation to a positive behaviour support plan. She went on to say that these plans are important because they are dealing with vulnerable and challenging clients, which they are indeed. But she also said, 'I would rather have a fully comprehensive system and not scrimp on anything to make sure that we get it right.'

The previous government have certainly done that. That is the Labor way—layer upon layer of red tape; layer upon layer of regulation; layer upon layer of expense, increasing the administrative burden on those people who are working on our front lines. We have seen that in so many areas since we have come to government. You do not have to go any further than to look at the health system and the challenges that we saw coming into government with the huge waiting lists, the ramping of ambulances at hospitals and the redeployment of staff into administration areas rather than into front-line services like nurses and doctors. As Minister Davis and I travelled around the state in that first year when I was her assistant minister, the story that we heard from many of the staff in those child safety service centres and disability service centres was what a relief it was to have the layers of administration removed above them, to be able to have direct access to the department, to get answers on day-to-day issues and to be freed up to get on with the important work that they do. It is just so important that we support this legislation and that we understand the need to reduce the burden of red tape. This is just another area where our government, the Newman government, is working to reduce some of those burdens on our front-line workers, who are delighted to see money being directed away from unnecessary admin and more funds going into real service provision.

The other thing I want to touch on is that this bill introduces a significant level of accountability and care. One of the blunders by the former government in drafting the legislation previously was the omission of any requirement for service providers to report on the use of restrictive practices. That lack of reporting is a real concern, especially given the potential risks and deprivations associated with the use of restrictive practices. Service providers themselves have noted that a lack of reporting of restrictive practices is of particular concern and a significant oversight of the previous government. I note that the committee received submissions from the Anti-Discrimination Commission of Queensland. They made the point that the rights of disadvantaged people can be infringed when restrictive practices are imposed on a person without their consent. These are fundamental human rights that everyone is entitled to have respected: the right to equal recognition before the law; the right to access to justice; the right to liberty and security of the person; the right to freedom from exploitation, violence and abuse; the right to the integrity of the person; and the right to their privacy.

I note also that UnitingCare in their submission raised concerns about the lack of clarity and the lack of accountability around these restrictive practices. The National Disability Services Office of Queensland actually wrote to say congratulations to the minister and the Department of Communities, Child Safety and Disability Services on their work to review the regulation in respect of the authorisation of restrictive practices within current legislation. They went on to say that they support the amendments to the legislation because they believe that there is a need for adequate safeguards to be in place for people with disability; that we need to provide safeguards for the workforce; that there is a need to reduce the cost of compliance for organisations; that there is a need to deliver clearer and unambiguous guidelines to stakeholders; and that there is a need to improve the statutory responsiveness and outcomes.

I note that in the committee report there is also an obligation to report back to the families of those people who are being looked after where restrictive practices are applicable. What are these restrictive practices? They are things like containment or seclusion, chemical restraint, physical restraint, mechanical restraint and restricting people's access to objects. It is sad that we need to have these practices in place. In fact today I was speaking with Vicki Batten, who is the CEO of the Family Services Group on the Gold Coast—one of the largest disability service providers in Queensland whose head office is in my electorate. On a monthly basis they look after some 3,500 clients. They look after the daily living needs of some 300 clients across the state.

Vicki's heartbeat in this is just outstanding because she herself describes the organisation as 'a large organisation with a large heart', an organisation that is 'truly committed to providing freedom, social justice and growth for all people in our community'. Vicki's comment to me was that she would rather we did not need these restrictive practices at all. In fact, their organisation is committed to a process where they seek to employ none of these restrictive practices. They actually train their staff to work with their clients in such a way that they would rather foster a greater sense of understanding and care and compassion. In treating those clients with great respect and great care, they find that many of the behaviours can be well managed and many of those behaviours can actually be turned around and many of those people within their care can enjoy much greater levels of care and support.

In fact, when you visit their website FSG talk about their passion. Their passion is one of actually wanting to make a real difference in the lives of their clients. Their passion is to enhance the lifestyles of the people who come within their scope of service provision. What an incredible organisation they are. They were established back in 1979. They have celebrated more than 30 years of service to both the Gold Coast and right across the state of Queensland.

Some of the other organisations in my electorate that I am particularly proud of that also share these views and welcome these legislative amendments are organisations like the Southport Special School, established back in 1970. Last year we saw the delivery of some new facilities there—a new library, new classrooms, new staff facilities and a kitchen. This particular school looks after some 200 young people under the age of 18 on a daily basis. There is the Musgrave Hill special preschool, with some 80 or 90 young children that it takes care of on a weekly basis. It is also a great pleasure to have the Arundel Park Riding for Disabled within my electorate—in fact, I should say that it is within the member for Broadwater's electorate, but we both enjoy a great association with the riding school.

I am proud to be a part of the Newman government. I am absolutely pleased to be part of a government that is really committed to delivering front-line services, to diverting the money away from unnecessary red tape and to being highly accountable to the communities it serves. I believe that within this legislation we see yet another example of our government's commitment to move the funds and the support where it is most needed. It is my great honour to stand in the House tonight and commend the great work of the minister and her department.

(Time expired)