




Speech By
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Record of Proceedings, 26 October 2017

CHILD PROTECTION REFORM AMENDMENT BILL

 **Ms BATES** (Mudgeeraba—LNP) (5.17 pm): I rise to make a contribution to the debate of the Child Protection Reform Amendment Bill. Since I have been shadow minister for child safety, I have been calling for reforms to provide a better and more certain future for children in out-of-home care, because what we have seen is that the principle of reunification with biological parents at all costs has failed. In many cases certainty can only be provided by loving homes through permanent care arrangements such as long-term guardianship or adoption. Too often we see children in and out of multiple residential care or foster care placements. The result is they have no sense of stability. They have no stable long-term relationships. What they come to have is the knowledge that, if they begin to let someone in, be it a worker from their residential care facility or a foster carer, they run the risk of simply being moved on to their next placement and having to start from scratch again.

We know that the most important things we can provide for children to ensure they have the best shot in life are love and support and the ability to reasonably foresee what their future will hold. Kids need to know when they will go to bed, when they go to school and what their daily routine is. One of the worst things we can do is to rotate kids from placement to placement, uprooting their lives, their routine and their sense of certainty every few months.

Earlier this year I spoke in this House about the system's insistence on reunifying parents with their children and sending children back to dangerous and dysfunctional homes. Too many times we have seen children reunified with parents who should never have been given another opportunity to rearm their children physically, sexually and emotionally.

Despite the veil of secrecy we have seen over Child Safety in Queensland, we know that children are slipping through the cracks and are running the risk of being harmed, simply because time and time again they are being sent back to homes they should not be in. I have said it before and I will say it again: parenting is a privilege, not a right.

In June I spoke of cases of abused children having experienced burns from cigarettes, rope burns from being tied up or burns from being immersed in hot water with catastrophic results; of an adult making a conscious decision to bite a child so hard that deep teeth marks are left on an infant; of a parent beating their child to death with a vacuum cleaner pole whilst the child sobbed and asked the parent to pray for them. What did we see from those opposite? We saw members opposite interjecting as I spoke about these horrific cases in a disgraceful display of ignorance.

I have been saying since I have been the shadow minister that, if you have starved, beaten, burned and neglected your child because you are too busy getting your next hit or your next bottle of booze, you should not get another go at being a parent. It is a parent's fundamental role to protect their children, but too often we see that children are being harmed or neglected by those who are supposed to protect them. We have seen cases of children being sexually abused when they were sold for drugs. We have seen mothers bringing men into their homes and letting those men hurt their children.

As a nurse, all of this is absolutely sickening to me. I can see the X-rays of what those injuries would look like and the horror of the doctors and nurses when their suspicions are confirmed. I know how those ambulance and police officers would have felt as they sat in the gutter and sobbed at some of these traumatic call-outs. Yet in too many cases we saw abused children being returned to their unfit parents time after time.

We have a system letting down children and putting them in harm's way too many times to count. As I have said before, even a cursory look into the history of many of these families clearly shows a pattern of abuse, not only of the victim but also of those who have been abused either before or after them. We have heard of little kids with multiple bruises or fractures in various stages of healing which were never treated and, even worse, bruising on a little baby who cannot even crawl or walk yet—all inflicted by those meant to care for them.

I have outlined previously what the solution to this problem is. The first step is ensuring we have a system in place where children are not missed. We need intake services who know what they are looking for, who can spot the urgent cases and who can get to them urgently. We cannot expect children to be rescued from violent and abusive situations if we do not have the system's resources where they need to be—at the pointy end, at the coalface, not trapped behind desks.

The latest Child Safety performance data revealed 60 per cent of investigations into suspected child abuse did not start within the recommended time frames. That is 12,829 cases that were not investigated within the department's own required time frames because the resources simply were not there. A record 10,533 child abuse investigations started in the last 12 months dragged on for more than two months, despite the requirement to be completed within 60 days. In the last year, 165 children in care were allegedly abused whilst under the protection of the department. Even more staggeringly, the data showed that 45 per cent of parents who abuse their children were abused when they were younger.

Under Labor, we saw a record 1,509 carers walking away in just 12 months, largely due to the way they were treated by the child safety system. It is a sad indictment on the system when more and more carers of our most vulnerable are walking away. Most appalling was the way this data was released. It was dropped quietly, on the eve of an election, in the eve of the main roads minister's email scandal. It was clear that the minister, having washed the data to her satisfaction, now sought a quiet way to release data that had Queenslanders shaking their heads in disbelief. This totally flies in the face of transparency and raised more clouds over integrity.

Whilst resourcing the department is of paramount importance, we also need to stop the failed practice of reunification with deadbeat parents at all costs. We need permanency provisions in place for parents who want to love a child and not hurt them and who can offer them a loving home on a permanent basis. Adoption should be available for parents who want to love a child, even if they are not their biological parents. We need to stop giving parents second, third and fourth chances when they are clearly repeat offenders. We need to change the culture and start thinking of what is best for the child, not the abusive parent. We need to stop giving deadbeats a say in what happens to their children once they have hurt them. We need to punish those who deliberately hurt a defenceless child.

Today, after almost three years in office, we finally see the government introducing legislation to move toward permanency in our child safety system. I have been very clear in this House that the LNP supports permanency, but we do not trust Labor to implement it. This debate is not about politics; it is about the facts. The fact is that under Labor the number of kids exiting care who had 10 or more placements has doubled since 2014. That means we now have twice the number of kids going from one placement to the next every few months and having their lives uprooted more than 10 times under Labor. That is simply unacceptable.

Worse still, more and more kids are being pushed out of the system under Labor with no transition planning. In fact, the number of kids aged 15 years or over in Child Safety's care with transition planning has increased by more than 20 per cent since 2013. That means kids are simply being farewelled by the department with no regard for how they will successfully transition into adulthood and care for themselves. Permanency needs to be implemented, but it needs to be done the right way. The last thing we want to see is Labor using permanency as a quick fix to the record number of kids in care and the record number of carers leaving the system.

It was the LNP which commissioned the commission of inquiry into child protection, the Carmody inquiry, to address systemic issues in Child Safety and provide a better system for Queensland's most vulnerable children. On 1 July 2013, the Carmody inquiry released its report entitled *Taking responsibility: a roadmap for Queensland child protection*. I am pleased to see more than four years later that a bill has finally been introduced to deliver on key recommendations of the Carmody inquiry.

The commission of inquiry made 121 recommendations to reform the child safety system over the next decade. The previous LNP government committed to the reform program set out by the commission of inquiry. The inquiry recommendations included specific changes to the Child Protection Act 1999, including: amendments to stop the making of consecutive short-term orders that combined extend beyond two years, unless it is in the best interests of the child to make the orders, which was part of recommendation 13.4; and that the department review the current information exchange and confidentiality provisions in the act and propose that the minister move any necessary amendments, which was recommendation 14.2.

These recommendations signalled a clear view to a move towards permanency and away from short-term orders which were not in the best interests of the child. The commission of inquiry also recommended that the department review the act in recommendation 14.1. These reforms have taken almost three years to come to parliament. The vast majority are changes the LNP government had endorsed as part of the road map for reform over 10 years.

This bill section makes it clear that the chief executive must disclose information, including information about the identity of a notifier, to the Police Commissioner where the commissioner makes a written requirement to the chief executive to provide information that relates to a police investigation following the death of a child. We have heard Labor talk about information sharing but, in reality, child safety remains a closed shop and as secretive as ever under this minister. We have a minister who so frequently uses privacy as a veil of secrecy to avoid any scrutiny. We see her using her Labor colleagues' scandals as smokescreens and distractions when data showing her failures is released. How many more times will we hear about information sharing and finally see some accountability and transparency from this minister?

When the opposition asked the minister in late 2016 how many cases of substantiated abuse had been referred to the police for criminal investigations, we were told—

The data requested in the question does not form part of the department's regular reporting. Providing the data would require a significant amount of work and divert officers from supporting hardworking child safety officers.

Yet again we were met with more secrecy. We were met with more facts being hidden away from public review. Labor's appalling record on transparency when it comes to child safety gives me little comfort that anything will change under Labor when these laws come into effect.

The bill also clarifies that an intervention with parental agreement can only be considered if the child will not be placed at risk of immediate harm if the parents withdraw their agreement, and that the case plan for the child must include details about what is expected of the child's parents and the chief executive in carrying out the intervention. The bill will also provide that a court may have regard to a decision by the department to end an agreement when considering making a child protection order. We know that under Labor's pretend mandatory drug testing of parents that not everyone is tested. Should a parent refuse to engage in drug testing, or if a positive result is returned, all that happens is a reassessment of the child's safety and the safety plan is undertaken and a more intrusive order considered. This is not at all reassuring.

We need an assurance that children are not being left with drug addicted parents under this system. We know the devastating effect of putting a child on an intervention with parental agreement, as was the case of baby Mason Jet Lee. I note that the committee recommended that the bill be passed and that there was no statement of reservation from any members.

A consistent concern raised by stakeholders during the committee's review of the bill was the lack of an appeal or review mechanism for an affected child captured under the permanent care order provisions. Through the child guardian, a child has a right of review and appeal for a long-term guardianship order yet in drafting this new permanent care provision, the department has only given itself, through the chief executive, the power to refer matters to the office of child protection litigation for reviewing or revoking a permanent care order. Given the implications of such a permanent care arrangement, having some form of review or repeal arrangement for an affected child is both just and fair in the circumstances. The most sensible approach would be to adopt the proposal put forward by the Queensland Law Society, and that is to provide for the Office of the Public Guardian to refer matters to the litigation director consistent with their role in proposed section 74A of supporting children who are concerned that the child's permanent guardian is not meeting their obligations.

What we see with this bill is almost three years after taking office, the government finally moving to implement key recommendations of the Carmody inquiry commissioned by the LNP. This bill takes steps towards permanency in this state, but there is a lot more work that needs to be done.