




Speech By  
**David Janetzki**

**MEMBER FOR TOOWOOMBA SOUTH**

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**CHILD DEATH REVIEW LEGISLATION AMENDMENT BILL**

 **Mr JANETZKI** (Toowoomba South—LNP) (4.46 pm): What a shemozzle this Labor government is! They have had to adjourn a debate. The Paradise Dam amendments have blown up in their faces and, humiliatingly, they have been forced to adjourn that debate so that we can—

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order on relevance. We are not debating the adjournment. We are not debating a bill that is no longer subject to debate. We are debating the Child Death Review Legislation Amendment Bill.

**Mr DEPUTY SPEAKER** (Mr Whiting): Indeed. I think the member well knows that he has strayed outside the bill. Could you please keep to what we are doing?

**Mr JANETZKI:** We now turn to the bill on which the Attorney-General has just given her second reading speech. The opposition will support the Child Death Review Legislation Amendment Bill that is before the House this evening. However, the Labor government should not think that the opposition's support for the bill means that they will not be criticised. This Labor government should not think that their record in relation to the protection of our most vulnerable in Queensland will not be criticised, because it ought to be. Through our support for the bill the opposition acknowledges that these are good and necessary reforms to protect the most vulnerable. However, the Labor government, under this Premier and for previous decades, has left a great deal to be desired. Through criticisms of the Labor government and their approach to the protection of our most vulnerable, they have been given fair notice. They know what the criticisms will be.

On this side of the House we think this is one of the most important pieces of legislation that the House will consider this term. It goes to the question of how we treat our most vulnerable. A little later I will turn to the *Annual report: deaths of children and young people*. We in this place know that if we do not stand with the most vulnerable, with our children, then we are derelict in our duty.

What we have learnt over the years and we know is that we are not talking about individual cases. It is not going to be a matter of picking out individual problems. We are looking at a systemic failure under the Premier's watch in the last two terms of government but also stretching back decades. It just cannot be pinned down to one case, one death, one incident of negligence or mistreatment, it is a systemic failure. Some of the details and statistics in relation to child safety will be addressed by my colleague the member for Burnett, the child safety shadow minister. It is not just an individual case that we are addressing. It is a systemic crisis. It is a systemic failure that this bill is trying to address. It is what this government has failed to deliver over the last 25 of 30 years that this bill is trying to address.

Tragically, in June 2016 Mason Jett Lee, a 21-month-old known to Child Safety, was violently robbed of his life. That violent death prompted the government to request the Queensland Family and Child Commission, the QFCC, to oversee the reviews being undertaken by the department of communities, child safety and disability services and the child death case review panel and the investigation conducted by Queensland Health about the services provided to Mason Jett Lee before his death.

That request from the Premier came in around July 2016. On 30 March 2017 the QFCC handed down its report entitled *A systems review of individual agency findings following the death of a child*. The QFCC made one overarching recommendation which was to consider a revised external and independent model for reviewing the deaths of children known to the child protection system. On 18 September 2019, nearly two years after the QFCC report was handed down, the Labor government introduced this bill. Today, nearing three years after the QFCC report was handed down, we are finally debating this bill. Does that three-year delay from this Labor government not say everything about their approach to child safety and our most vulnerable in Queensland? That three-year delay tells us so much. The evidence has continued to stack up over the last two terms of this Labor government.

We only need to think back to blue cards where there have been 70 amending acts over a couple of decades of Labor rule. They were plugging holes and papering over cracks. The Labor government stole our amendments and adjourned that bill too so they could go away and sort out the amendments they needed to adopt. The QFCC made a series of recommendations in relation to blue cards that would have kept our children safer. The government ignored the recommendations around international criminal checks that would have kept our children safer. We only need remember the tragic case of Tiahleigh Palmer—

**Mrs D'ATH:** Mr Deputy Speaker, I rise to a point of order on relevance. The member is now seeking to debate a bill that has already been debated in this House and he should be brought back to the bill.

**Mr DEPUTY SPEAKER** (Mr Whiting): Member for Toowoomba South, I was listening to see where you were going with your comments. It would be helpful to me if you could make linkages to the bill in what you are speaking about.

**Mr JANETZKI:** Then we saw the Mason Jett Lee private member's bill that this side of the House introduced. That would have put a line in the sand when it came to child killers in Queensland. We saw the government react when we started talking about the death of our most vulnerable—our children—under Child Safety notification and watch. Last term of government we saw the Mason Parker private member's bill introduced. Pressure was brought to bear by this side of the House—

**Mrs D'ATH:** I rise to a point of order, Mr Deputy Speaker. Firstly, it appears the member for Toowoomba South has not prepared a speech. That is how important this bill is to him. He has talked about three bills previously before this House. He is not actually talking about the bill before us today. I ask that he be brought back to the bill.

**Mr DEPUTY SPEAKER:** Member for Toowoomba South, I appreciate that you are giving some broader context, but I urge you to make sure you stick to what is in the long title of the bill. I am having a look at the objectives of the bill as well. I think we have given you some latitude with that. I would appreciate it if you would make sure your comments are within the long title and objectives of the bill.

**Mr JANETZKI:** I find it pretty rich that the Attorney-General would seek to make points of order when I just heard the Attorney-General talk about the QFCC. She waxed lyrical about the QFCC. It was that side of the House, it was the Labor Party that opposed the creation of the QFCC. This side of the House will not be lectured to on child safety by a Labor government.

It is entirely appropriate to give context. In the last couple of decades the LNP and the National Party and Liberal Party had always given bipartisan support to child safety enhancements—

**A government member** interjected.

**Mr DEPUTY SPEAKER:** Order! Minister!

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! Members on my right!

**Opposition members** interjected.

**Mr DEPUTY SPEAKER:** Order! Those on my left, too! I cannot hear the member for Toowoomba South.

**Mr JANETZKI:** Over the last two decades the Liberal National Party and the Liberals and Nationals previously always gave bipartisan support to the Labor government of the day. That is until the Carmody inquiry recommendations and the creation of the QFCC which the Labor Party opposed. They did not support the reforms arising out of the Carmody inquiry. The Attorney-General got up at the time and said that there was not enough consultation before the introduction of the QFCC. That is after there had basically been a commission of inquiry. To hear the Attorney-General get up and wax lyrical about the QFCC is blatant hypocrisy. For the Attorney-General to be interjecting on this side of the House simply for giving some context to this legislation is a misuse of the House.

I want to turn to some of the specifics of the bill. The objective of the bill is to implement the recommendations of the QFCC report and give effect to the government's commitment to develop a new, independent model for reviewing child death cases. This is achieved by establishing a new, independent Child Death Review Board located within the QFCC responsible for carrying out system reviews following child deaths connected to the child protection system.

The board will also be responsible for identifying opportunities for continuous improvement in systems, legislation, policies and practices, and to identify preventative mechanisms to help protect children and prevent deaths that may be avoidable. In exceptional circumstances the minister may ask the board to carry out a review in circumstances where the child is not connected to the child protection system but the death or injury is relevant to the child protection system. In particular, any review will consider matters relating to the provision of services to and other interactions with children and their families by government and non-government entities.

The government's objectives will also be achieved by expanding the requirement to conduct an internal systems review following the death or serious physical injury of a child known to Child Safety or to other relevant government agencies involved in providing services to that child. Currently, Child Safety and the Director of Child Protection Litigation conduct internal reviews, but this will be extended to Queensland Health, the Department of Education, the Queensland Police Service and the Department of Youth Justice.

The purpose of the internal review is to promote the safety and wellbeing of children who come into contact with the child protection system by facilitating ongoing improvement in the provision of services and promote accountability of the agencies involved with the child. To best achieve this it is encouraged that agencies work collaboratively by sharing information with each other in a timely manner. In the case of child deaths, review reports are given to the board which then carries out further reviews of relevant systems.

There were six submissions received in relation to the bill. Submitters included the Australian Association of Social Workers, Bravehearts, Queensland Law Society, Sisters Inside, PeakCare Queensland and an unidentified submitter. Bravehearts was strongly in favour of the bill and Sisters Inside, AASW, PeakCare and the QLS agreed in principle with the proposed amendments.

It is now over 15 years since former premier Peter Beattie introduced the Child Safety Legislation Amendment Bill establishing the new Child Death Case Review Committee. That bill implemented many of the 110 recommendations of the Crime and Misconduct Commission's report *Protecting children: an inquiry into abuse of children in foster care*. That in turn built on the groundbreaking Forde inquiry of 1998 and 1999 which examined the abuse of children in Queensland institutions. Then premier Peter Beattie said at the time—

The bill also establishes the new Child Death Case Review Committee. This independent committee will provide a critical, external accountability mechanism that will oversight the child death case reviews undertaken by the Department of Child Safety. It will be chaired by the Children's Commissioner and members of the committee will have appropriate broad-ranging expertise. The role of the committee will be to review the departmental case reviews. It will make recommendations to the Department of Child Safety about its policies and procedures relating to the delivery of services to children and families, and will monitor the department's response to these recommendations.

He went on to say—

The committee will also be able to recommend whether any disciplinary action should be taken against officers of the Department of Child Safety. The bill also expands the jurisdiction of the coroner to investigate the deaths not only of children subject to orders but also those children in a placement with a parent or guardian's consent.

From that time we did see bipartisanship on child protection matters in the House until, as I have already alluded to, after the Carmody inquiry and the government of the day opposing those recommendations.

Presciently, at that time then opposition leader, the former member for Southern Downs, again supporting the Labor government bill at the time, said—

These processes will have to be put in place, but I stress again that they are there because mistakes have been made in the past. We will have failed our children in care if in another five or six years we look back and an unacceptably high number known to the department have died. If mistakes are made, they have to be properly scrutinised and the department's processes improved. We should not accept a standard lower than this.

They were prescient words of the then leader of the opposition and former member for Southern Downs. In those comments he used the time frame of five or six years looking back but, as we have seen over this past period of government with the Premier's leadership and ministers, we have seen systemic challenges in child safety and the protection of our most vulnerable. We have failed to learn from mistakes. The nonpartisan way in which these matters were once addressed lapsed after the Carmody inquiry recommendations and the QFCC was opposed by those opposite.

Upon their return to government in January 2015, their record in relation to the protection of our most vulnerable has been appalling: redacted records, hidden reports, questions left unanswered. Time and time again we have seen children neglected and systemic problems continuing. There is mass confusion. We have seen washed data. The former child safety minister admitted that in 2017-18 child safety notifications reached their highest level in five years at nearly 24,000. There are nearly 10,000 children living away from home, an increase of about 1,000 on 2013-14 figures. The number of children subject to a protective order jumped to over 10,500 by June 2019. That is 556 children more than 12 months earlier and 1,237 children more than in 2014-15. The completion rate of investigations being carried out is extremely low, with only 39 per cent of investigations being completed in time. Child safety officers are clearly overburdened and under pressure.

If any names are to be given to the Labor government's generational failures in child safety it is the names of those children who have lost their lives. We know those names that are so bound up in these issues—Mason Jett Lee, Tiahleigh Palmer, Curtis Powell—and all those other nameless children we do not know about. Yes, there have been sincere attempts on both sides of the House to try and correct systemic problems, to try and address the deep-seated challenges facing our community, but time and time again they have just not improved the system. We need only turn to the *Annual report: deaths of children and young people, Queensland 2018-19*, which is an outstanding report. There we see again that our most vulnerable children and young people are dying.

I want to point out that in 2018-19, 58 children passed away. The most troubling statistic for me relates to the suicide of young people. This bill will assist in determining why these things happen. We have seen the suicide rate go up 53 per cent: 29 of the 57 deaths in 2018-19 were from suicide. That is more than ever a call for this House to do whatever we can to provide mental health support for our young people. One other remark I want to make in relation to this report relates to the over-representation of Indigenous Queenslanders in the infant mortality rate, being 6.4 deaths per 1,000 Indigenous births compared to 3.7 deaths per 1,000 non-Indigenous births.

This report should be read by all members of this House so that we fully understand the challenge—the important duty on all of us—to do what we can to support our most vulnerable: our precious children. As I said at the beginning of my second reading contribution, if this House does not stand with our most vulnerable, our most precious children, then we are derelict in our duty. That is why, despite the reservations I have outlined in my contribution, the opposition will support the government's bill. I commend everyone in this House to do what we possibly can in whatever way we possibly can to do our utmost to protect our most vulnerable and most precious children.