




Speech By
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CHILD PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Dr MacMAHON** (South Brisbane—Grn) (4.27 pm): I rise to speak to the Child Protection and Other Legislation Amendment Bill 2020. There are over 10,500 children in out-of-home care in Queensland. We know that removing a child from their family can have lifelong ramifications in terms of employment, education, health and wellbeing. These young people often have limited ongoing engagement in education, end up homeless or in insecure housing, come into contact with the justice system as children and adults, and can be estranged from their families, communities and culture.

I would argue that instead of moving to elevate adoption as a pathway for kids in care, we should be talking today about how we can be expanding and deepening early intervention and support for families and children. I echo the calls of advocacy organisations such as Sisters Inside, Association for Adoptees, the Australian Association of Social Workers and the Create Foundation, who hold grave concerns around the elevation of adoption within permanency principles. The Human Rights Commission notes that there is insufficient evidence to justify the changes and instead recommends a focus on early intervention to prevent removals.

The 2020 Family Matters report that looks at over-representation of Aboriginal and Torres Strait Islander children in out-of-home care describes that 84 per cent of child protection funding is being channelled into services focused on removal of children and only 16 per cent is going towards prevention, support and reunification of families. Both Labor and the LNP bear responsibility for this grave underfunding.

In elevating adoption, the bill overlooks the potential negative impacts of adoption. Family based care is a fundamental human right and is acknowledged in international and domestic law. Adoption can sever connections to biological families and, as Sisters Inside note, for the majority of cases permanent separation between children and their families is not the best outcome for children, families or their community.

Adoption already exists as an option under legislation for children in care, but this bill elevates its importance and diverts attention away from those early supports that would strengthen the preference for children to be cared for by their families. While the bill considers the unique needs of Aboriginal and Torres Strait Islander children, the bill makes no consideration for children of other cultural backgrounds and the risks of separating migrant and refugee children from their families, communities and culture. The importance of family and cultural connection is rightly recognised in this bill for Aboriginal and Torres Strait Islander children. There should also be consideration for children from all cultural backgrounds.

We note that the Aboriginal and Torres Strait Islander placement principle is currently applied in patchy and inconsistent ways. My office has been in communication with an Aboriginal family where the second youngest daughter remains in the care of a non-Indigenous family despite the mother having care of all of her other children. The Human Rights Commission notes that there have been no improvements in the last five years with respect to the number of Aboriginal and Torres Strait Islander children being placed with kin. Stability for these children remains poor, even with the passing of this bill.

The two-year time frame also does not take into proper consideration the amount of time that families may need to establish stability and safety. This two-year period is particularly insufficient when the resources required to support families are often not available. The Australian Association of Social Workers notes that funding continues to be inadequate to provide the comprehensive services for families with complex needs as was evident with Mason Jett Lee's family. Intergenerational trauma, abuse and neglect requires significant support. When this is not provided, children will revolve through the child protection system. The Create Foundation also sought the voices of young people who felt concerned that two years may not be long enough to support families for reunification. They quote young people, saying—

Depending on issues like drug and alcohol or domestic violence, it may take longer than two years for rehab ... for ... reunification process ...

and—

Only having two years seems like a short amount of time to prove that they're capable.

Australian research demonstrates that with the appropriate support and interventions families can and do improve their capacity to care for their children, but without these supports families can be set up to fail. Sisters Inside also note that this elevation of adoption will disproportionately affect families who are in prison, who deserve the opportunity to access services and reunite with their children.

Rather than elevating adoption as an option for children in care, we urge the government to fully invest in measures that will support families and bolster the first option to ensure that children can stay with their families. There needs to be proper early support and intervention services for families that are struggling. Today I have heard members on both sides of this chamber talk about how addiction is driving up the need for child protection services, but I do not think I have heard members of the government or the opposition talk about properly funding public drug and alcohol rehabilitation services here in Queensland or about the pressing need for mental health services in our state.

Alongside ensuring availability and access to free, publicly funded rehabilitation and mental health services, Queensland families need the government to properly invest in holistic early intervention supports for families. Families must be able to access this support before they reach a crisis point. For Aboriginal and Torres Strait Islander families and for families from migrant backgrounds, these supports must be culturally appropriate.

There needs to be urgent investment in public housing in Queensland. There are nearly 50,000 Queenslanders waiting for public housing, including 15,000 children and their families. Building appropriate social housing across Queensland would help thousands of Queensland families—thousands of children—and provide the kind of early intervention we urgently need. There needs to be investment in genuinely free essential services, easing pressure on families in financial distress. This needs to include fully funding our state schools, abolishing all school fees and introducing school breakfasts and lunches to ensure the food security of all Queensland children. We need more trained support staff in the child protection system. We also need a permanent increase to welfare payments for parents and families, given the strong correlation between poverty and child welfare.

This bill acknowledges that the system has failed so many families but does nothing to address the glaring shortcomings in the child protection system or the underlying drivers that put families in contact with this system. We know from history that simply taking children away from marginalised families does not support marginalisation. The stolen generation is undeniable proof that this creates significant intergenerational trauma and leaves inequality intact.

Queensland is a wealthy state. The government must do better to meet people's everyday needs, to address those underlying drivers of disadvantage that so directly affect families and children tied up with the child protection system. We could be providing these essential services and support to Queensland families and be world leaders in child welfare. Instead, we run the risk of letting down families who were never given the chance, time or support to reunite. For these reasons, the Greens will not be supporting this bill.