




Speech By
Daniel Purdie

MEMBER FOR NINDERRY

Record of Proceedings, 23 March 2021

CHILD PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr PURDIE** (Ninderry—LNP) (3.47 pm): I rise to contribute to the debate on the Child Protection and Other Legislation Amendment Bill 2020 which specifically seeks to increase the rate of permanent adoptions from the child protection system in order to improve welfare outcomes for Queensland children in care. Broadly speaking, child protection, above all else, is about protecting children from harm. I acknowledge toddler Mason Jett Lee and the other Queensland children known to the department of child safety who have lost their lives at the hands of their carers.

I previously worked closely with victims and perpetrators of child abuse. I have been confronted and deeply affected by heinous, unfathomable crimes committed against defenceless children. These are difficult experiences for frontline workers—cold, hard, sinister truths that many in this chamber have not been exposed to and hopefully never will be. This why I feel for the workers who face the incongruence of a child's innocence and a parent or caregiver's malevolence every single day, sometimes with one hand tied behind their back. I think about the 21 staff referred to in Deputy State Coroner Bentley's report following the inquest into Mason Jett Lee's death and the fact that they had not performed their duties adequately.

In 2016 Mason was hospitalised for what the attending doctor described as the 'worst injuries' he had ever seen. Mason was sent back home to his parental abusers and three months later he was dead, having been bashed and drugged by his caregivers. Astonishingly, the inquest found there had been no follow-up from the department in the three months between this red flag and his death.

I am genuinely worried for the mental health of the departmental officers involved. These individuals sadly now personify the under-resourced and under-managed Queensland department of child safety. In my opinion, they have been working in a failed and broken system and no-one has yet taken ultimate responsibility for overseeing the breakdown of that system. No-one was held accountable—no-one disciplined or demoted, not even moved aside as a token sign of respect.

The public sector watchdog said child safety officers suffered 'manifestly inadequate' consequences over Mason's death but, as to the source of the blame, tellingly, the government swiftly committed to the addition of 550 new staff. Clearly the child safety unit was manifestly understaffed. Clearly the government manifestly failed in its duty to prioritise and manage the size of this critical workforce.

To the rest of us watching on, not much seems to have changed, leaving us to question the government's commitment to and, indeed, ability to overhaul the child protection system. In fact, we are here today discussing the best ways to get children out of the system—before discussing the urgent reforms required to improve life for children in the system. This fact alone suggests that not even the government has confidence in its own ability to provide better protection for children in its care.

The Child Protection and Other Legislation Amendment Bill 2020 reflects just one of six recommended reforms made by the Deputy State Coroner on 2 June 2020; namely, recommendation 6(b), which provides—

The Government consider whether the Adoption Act 2009 (Qld) should similarly reflect the 2018 amendments to the Adoption Act 2000 (NSW), expecting children to be permanently placed through out of home adoptions within 24 months of entering the department's care.

This echoes the 2013 Carmody commission of inquiry recommendation—an inquiry established by the LNP—which recommended that the government routinely considers and pursues the use of adoption in cases where reunification is no longer an option. This was one of 121 recommendations made. Just on that note, the Mason Jett Lee coronial inquest reported that select key findings from the Carmody commission of inquiry seven years ago still have not been implemented by the Palaszczuk government. This is proof that this government and its child safety system is failing Queensland children.

It begs the question that, without the findings and recommendations of the coronial report, the government would not have lifted a finger to help the most vulnerable children in care of the department. This record of inaction brings us to 21 February 2021, when a small but important step was taken towards improving welfare outcomes for children in care. This is when the parliamentary committee recommended the Child Protection and Other Legislation Amendment Bill be passed with the following objectives: enhance the approach to permanency; clarify that adoption is an option for achieving permanency as part of a suite of alternative long-term care options; and clarify the importance of and promote alternative permanency options for children under a long-term guardianship order.

Under the current system, adoption is not mentioned as a principle to best achieve permanency for a child. During consultation on the bill, the committee heard that current academic and research literature supports adoption as a means of achieving permanency for children where unification is not deemed in the best interest of the child.

The committee also heard that, since the recommendation was made by the Carmody inquiry seven years ago to pursue adoption where the child is no longer safe, only 10 children were adopted from the child protection system. Only six of these have taken place over a five-year period under this government. Madam Deputy Speaker, I put to you that when the government knew better they did not do better—too many lives have been lost.

As of 30 June 2019, there are 10,296 children subject to child protection orders in Queensland, and we should all be rightly concerned for their safety. As a parent of two young girls who thrive on consistency, healthy boundaries and routines, it makes sense to me that fewer placements are better for children in the state's care and that long-term arrangements promote a greater sense of security, stability and belonging. Those opposite know that only too well, preaching on the department's website—

To grow up happy and healthy, children need permanency in their lives. For children to feel a sense of permanency, they need to know where they will be living from one day to the next, and from one year to the next.

It beggars belief that, while permanency is a primary goal for the department, the mechanisms to help achieve this are only being implemented retrospectively and well after the claim. In fact, the Auditor-General's report tabled on 4 August 2020 found that, despite the department's view that permanency was a benchmark for success, almost 25 per cent of children in care have had at least six placements, with six per cent—that is, 626 children—having between 11 and 20 placements. These are simply horrendous statistics if the goal is permanency.

Clause 8 of this bill clarifies that adoption is now an option for achieving permanency for children in care by providing adoption as the third preference in the order of priority. As such, the principle that the child be cared for under the guardianship of the chief executive becomes the last preference in deciding whether an action or order best achieves permanency for a child.

When deliberating the bill, the committee heard mixed views. Of the 39 submissions received, many stakeholders were supportive of the bill's intent but questioned aspects of the proposed provisions. For instance, the Bar Association of Queensland noted that, as the bill currently stands, there is no preference to 'permanent care orders in the principles' set out to achieve permanency for a child. Stakeholders in support of the bill include Adopt Change Ltd, Jigsaw Queensland Inc. and the Queensland Alliance for Kids, arguing that the prioritisation of adoption over long-term guardianship by the department's CEO, children will be offered legal stability within a family which might mean that they can not only survive but be given the best chance to thrive.

As published in the United Nations Convention on the Rights of the Child, the children's version, it states in article 3, in perfect child-like simplicity—

Governments should make sure children are protected and looked after by their parents, or by other people when this is needed. Governments should make sure that people and places responsible for looking after children are doing a good job.

Fundamentally Queensland Labor is not doing a good job if this is the litmus test. I, together with my LNP colleagues, will hold this government to account so that they better protect vulnerable kids and improve both transparency and accountability. It is clear that Labor does not have a plan to overhaul the system, but the LNP does. Should this bill be passed? Yes but in the absence of anything else before us. I commend the bill to the House.