




Speech By
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CHILD PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs GERBER** (Currumbin—LNP) (4.04 pm): I rise to make my contribution to the Child Protection and Other Legislation Amendment Bill 2020. This bill seeks to address an essential aspect of the child protection system; that is, giving vulnerable children in the child protection system the best opportunity for a stable and supportive environment by moving adoption up the list of priorities for achieving permanency for children in care. This bill offers these highly vulnerable children legal stability within a family, meaning they have the opportunity to not only survive but to thrive. This is but one aspect of reform to the child protection system that is well overdue. I have spoken to many carers and foster carers who wish they could adopt the child in their care. Children themselves desire to be adopted by the families they live with and given stability in the knowledge that they can put down roots without the fear of being ripped from the place they call home. But the system makes it hard to do so, so I would implore the government to do more to support the objectives of this bill in practice and at a departmental level.

As a member of the Legal Affairs and Safety Committee that examined this bill, a question I asked during the public briefing held on 27 July 2020 exposed the shocking truth that in the last five years under the Palaszczuk Labor government only six children have been adopted from the child protection system—six in five years. It has become evident that Labor's child protection system is broken and needs a complete overhaul. This is not a reflection on the carers within the system or a reflection on those workers who give of their lives to the children within the system. This is a reflection on the government because, as the member for Southern Downs said, the buck stops with the minister. Too many vulnerable children are falling through the cracks, bouncing from foster home to foster home, desperate for stability in their lives.

As shadow assistant minister for justice and youth, this bill is extremely important in order to achieve a sense of permanency for children in state care. A permanent and safe home is something that I believe every child deserves to have, but more needs to be done. The department of child safety, youth and women notes, '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.' This means we need to create a supportive system that limits, or even prevents, the number of times foster-children are moved on from home to home.

Despite the known fact that children need a permanent living arrangement in their lives, the Auditor-General's report, tabled on 4 August 2020, found that almost 25 per cent of children in care have had at least six placements and that an alarming 626 children have had between 11 and 20 placements. That is just appalling. The Labor government has been letting our children down. Imagine the stress and anxiety these children feel and deal with on a daily basis not having a place to call home, not knowing whether they can even unpack their belongings. These figures highlight the instability in the child safety system and the desperate need for reform—reform that was needed years ago.

It was, of course, an LNP government in 2013 that established the Carmody commission of inquiry. The current 2020 recommendations of the Deputy State Coroner—which this bill responds to—were part of the 121 recommendations made by the LNP commissioned inquiry back in 2013. The

findings of the Deputy State Coroner of Queensland, which were delivered on 2 June 2020, follow the inquest into the tragic death of 22-month-old toddler Mason Jett Lee. The findings of this inquest were truly shocking. No child should ever have to endure what that precious little boy went through. The Palaszczuk Labor government failed little Mason in every possible way, and since then the community has demanded that more be done to protect children in state care.

Ultimately, the inquiry by the Deputy State Coroner resulted in six recommendations. All six were accepted by the government. This bill responds solely to recommendation 6(b), which essentially provides that the government consider that children be permanently placed through adoption within 24 months of entering the department's care. The policy objectives of the bill, by enhancing the approach to permanency under the Child Protection Act, clarify that adoption is an option for achieving permanency for children in care. This is welcomed as part of a suite of alternative long-care options available for children in care.

The LNP supports the need for this bill to pass because it highlights the importance of and promotes alternative permanency options for children under long-term guardianship orders. It is important to note that, while early adoption creates a deep sense of belonging and acceptance which contributes profoundly to healthy identity formation, it is not clear that long-term fostering reliably engenders these same feelings. Fewer placements are unequivocally better for children in care. The Labor government finally need to stop moving kids around like they are playing a game of chess. These are children who rightfully deserve a permanent home or the chance to be adopted into a permanent living situation. It is about time the Labor government did more to protect them. Without this bill, adoption is not mentioned as a principle to best achieve permanency for a child.

The bill amends the key principles so that they now read in order of priority as follows. Priority 1 is that the child be cared for by the child's family. Priority 2 is that the child be cared for under the guardianship of a person who is a member of the child's family, other than a parent of the child, or another suitable person. If the child is not an Aboriginal or Torres Strait Islander, the next priority is for the child to be adopted under the Adoption Act. The last priority is for the child to be cared for under the guardianship of the chief executive. However, if the child is an Aboriginal or Torres Strait Islander, the last preference is for the child to be adopted under the Adoption Act.

Submitters to the legal affairs committee raised concerns pertaining to the impact of adoption on Aboriginal and Torres Strait Islander children, noting that Indigenous children are 9.7 times more likely to be in care than non-Indigenous children. From the submissions, I note that adoption is not part of Aboriginal tradition and island custom, and that it was recommended that adoption of an Aboriginal or Torres Strait Islander child be considered as a way of meeting the child's need for long-term care only if there is no better available option. The bill seeks to give effect to this through the order of priorities.

Of the 39 submitters to the bill, many stakeholders were supportive of the bill's intent but some questioned aspects of the proposed provisions. For instance, the Bar Association of Queensland noted that the bill as it currently stands has no reference to permanent care orders in the principles set out for achieving permanency for a child. Stakeholders in support of the bill include Adopt Change Ltd and Jigsaw Queensland. Ms Sarah Wilson, a kinship carer for two young children, expressed her support by saying—

We want to thank you from the bottom of our hearts for advocating that adoption be a viable option for children like our 2 year old and 4 year old. They deserve to feel safe and secure their whole lives.

We aren't trying to erase their past. We are trying to give stability and security to their future because we think this is what will give them their best chance at thriving.

It is at this point I wish to place on the record my disappointment that more to reform the child protection system has not taken place. It was revealed last week that 53 children known to the child protection system died in 2019-20. That is 53 children in the one year. Nine died as a result of assault or neglect. Eight died from suicide. Labor's child safety system is broken and needs a complete overhaul. Too many vulnerable kids are falling through the cracks. How many more reports or inquiries that highlight this broken system need to be undertaken before the Palaszczuk Labor government takes action?

The coronial inquest into Mason Jett Lee reported that select key findings from the Carmody inquiry from seven years ago have not been implemented in any real sense by this Palaszczuk Labor government. The LNP is determined to change the system to protect vulnerable kids, improve transparency and accountability, and ensure parents are accountable. Vulnerable kids do not need any more reviews or inquiries. It is time to take real action to protect these kids. I support the passing of this bill because all of our children deserve the very best opportunity to grow up happy and to grow up healthy in a permanent environment which they can call home.