




Speech By  
**Ali King**

**MEMBER FOR PUMICESTONE**

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## **CHILD PROTECTION REFORM AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms KING** (Pumicestone—ALP) (3.17 pm): I rise in support of the Child Protection Reform and Other Legislation Amendment Bill. We all know that the very best outcome for any child is when their family can provide safe and appropriate care so that they can flourish and grow at its heart amongst those closest to them, but sometimes that is just not possible and children and young people must enter care for their own safety. Our job in this place is to make sure that more than 10,000 Queensland children in care are as safe and secure and respected and heard as we possibly can. With Foster and Kinship Carer Week only just finished, I pay tribute to the almost 6,000 Queenslanders supporting vulnerable children as foster and kinship carers and providing emergency care. You are the heartbeat of our caring communities. Your big hearts and open doors make a difference every day to our youngest and most vulnerable Queenslanders. I also acknowledge the important work of our child safety workers supporting children and families. As one of the members in this place who proudly represents the diverse, kind-hearted and community minded Caboolture region, I know that our local child protection staff carry a heavy weight of history as they work to protect and care for local kids every day.

A very significant body of work underlies this bill. The government has listened and delivered on the recommendations from the Family and Child Commission's report *Keeping Queensland's children more than safe*, the 2013 Queensland Child Protection Commission of Inquiry and the Royal Commission into Institutional Responses to Child Sexual Abuse. Recommendations from all of these reports shaped the options in the 2019 *Rethinking rights and regulation: towards a stronger framework for protecting children and supporting families* discussion paper, which in turn informed this bill.

This bill seeks to ensure that we implement a child centred approach to better support kids and young people in care across a range of areas. As we have heard, the three main purposes of the bill are to reinforce children's rights within the legislative framework; to strengthen children's voices in decisions that affect them; and to streamline, clarify and improve the regulation of care. This bill will make a very significant difference to the lived experience of children in care because it genuinely seeks to amplify their voices in decision-making about their care arrangements. We know that one of the greatest risks for future trauma is the feeling of being jointly unsafe and out of control. That is why the opportunity for true participation in child safety decisions is so fundamentally important for our young people. We heard the contribution from Mr Jake Shields to the committee when he said, 'As a kid in care I sometimes felt like a puppet not in control of decisions about my life.' Jake's words that nothing about us should be determined without us speak volumes. This legislation will help to ensure that no longer will young people in care be seen but not heard.

The aim of this bill is for children in the child protection system to be empowered, to be able to participate, to be engaged in the future direction of their lives and to have control in their care and of their destinies. With this bill we are working to ensure that young people like Jake Shields have all that and more. Importantly, the bill proposes to significantly amend the charter of rights for children in care. We have heard of the new rights that include, among others, the right to be treated fairly and with

respect; the right to develop, maintain and enjoy a connection to culture; the right to language and religion; the right to engage in play and recreation; and, crucially, the right to make a complaint to the chief executive if the child considers that their rights are not being respected.

The bill places an obligation on the chief executive to ensure that children are regularly told about the charter of rights, told that the chief executive has a duty to make sure their rights are respected and told that they have a right to contact the chief executive if they have questions or concerns. As a young person said during the consultation, if you do not know what your rights are you cannot say what you want in your case plan. Importantly, a child also has a right of further review if the chief executive does not respond to their concerns. Children must feel confident to raise those concerns and be informed about how to take those steps. Strengthening children's rights and their ability to raise concerns to make sure that they can be heard and that they can be safe and secure is essential.

The bill requires customary and age-appropriate methods be available for children to participate in their care and have a voice in the decisions that impact them, as well as support to make sure that they can participate and be heard. We believe that every child must be empowered to contribute to the circumstances of their care to the greatest extent possible and that is what this bill is about.

One of our most important jobs as parliamentarians is to keep working to ensure that First Nations children receive culturally safe care. Queensland was the first jurisdiction to legislate all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle. Importantly, this bill updates the Child Protection Act to increase the duties of decision-makers from the minimum standard of 'having regard to' the five elements of the principles to, instead, require decision-makers to use 'active efforts' that are purposeful, thorough and timely. These changes ensure that the application of the principle changes from a mere aspiration to a requirement for practical action toward culturally safe care.

Through this bill our government is taking action on the overrepresentation of Aboriginal and Torres Strait Islander young people in the child protection system. The bill sets a clear standard for the application of the principle, strengthens the rights recognised and supports transparency and accountability. The Aboriginal and Torres Strait Islander peak organisations were consulted and provided important feedback that has been incorporated into the bill, including to ensure that the definition of kin is fit for purpose and only encompasses people who have a genuine kinship connection with a First Nations child.

I note that I found it disappointing to hear the member for Moggill talking down the work and the presence of child safety facilities in his electorate. His electorate is not immune from the complex social issues that lead kids and families to engage with the child safety system. The need to provide vulnerable children with care does not discriminate and it does not end at the borders. It was also disappointing to hear the member for Ninderry again dumping on our hardworking child safety workers who work in tremendously complex environments with complex families every single day to protect children and support their families. I have heard firsthand the impact on the morale of our child safety workers of that kind of discourse.

I offer my thanks to the member for Mansfield for her work as chair of the Community Support and Services Committee and her always thoughtful and considered contributions. Thank you also to the members of the committee and to the committee staff who work so diligently. I acknowledge the many submitters and the staff of the Department of Children, Youth Justice and Multicultural Affairs for their work on this bill and all of the contributors to the consultation and submitters to the committee process. Finally, I acknowledge the minister for her compassionate and balanced leadership that always resists the cheap shots and recognises the profound complexity of the circumstances of children in Queensland's child protection system. I commend the bill to the House.