




Speech By  
**Amanda Camm**

**MEMBER FOR WHITSUNDAY**

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

 **Ms CAMM** (Whitsunday—LNP) (11.40 am): I also rise to contribute to the Child Protection Reform and Other Legislation Amendment Bill. It is pleasing to finally see this legislation come before the House, as I believe it has been ready to go for some time. I would firstly like to acknowledge the work of the committee and their recommendation that the Department of Children, Youth Justice and Multicultural Affairs establish a process to ensure there is customary and age-appropriate participation of children in care in decision-making processes that affect them and encourage the Attorney-General to investigate the barriers regarding First Nations peoples obtaining blue cards so as to improve their access to employment. Later in my contribution I will touch on blue cards and some of the concerns raised with me around unintended consequences.

I note that consultation on this bill has been inclusive, it has been expansive and it has also recognised children's individuality, their needs and their ability to participate. I also acknowledge the importance of the empowerment of children through their voices and the differing methods of participation that have also been outlined in the committee's report and the minister's contribution. I would also like to acknowledge the principles based approach which has been implemented for some time, in particular in relation to the application of child placement principles for the placement of Aboriginal and Torres Strait Islander children. The LNP will not be opposing this bill.

The objectives of this bill are to better support children and young people in care and to streamline, clarify and improve processes. I think that is something all Queensland children would like to see both sides of the House work towards. This is about reinforcing children's rights. It is about strengthening their decisions and their voices in the decisions that affect their ability to participate and contribute to our community and our society, but, most importantly, around their safety and security. I certainly hope that as a result of this bill children's concerns are taken very seriously. Every single week there are issues raised with my office which are presented to the minister around child safety and children's desires, needs and wants to feel safe and secure. Their voices must be fully heard by the adults in charge who are there to protect them.

This bill aims to streamline, clarify and improve the regulation around how we care for our children. This bill amends the Adoption Act to resolve technical issues within the federal act and makes priority amendments for working with children. It provides a legislative basis for the chief executive, when working with children, to request domestic violence information from the Queensland Police Commissioner for the purpose of blue card assessment. The bill also aims to facilitate Queensland's participation in working with children with regard to the national reference system check, which is a national database that enables jurisdictions to identify persons who have been deemed ineligible to work with children in any other state or territory. It also enables the chief executive to: have regard to adverse decisions in other jurisdictions as part of a blue card assessment; simplify and streamline categories of regulated employment and regulated business that deal with licensed care services to better reflect contemporary service models; and enable a licensee to have greater visibility over the blue card status of each person performing a risk-assessed role for licensed care. A blue card is only really worth the information that comes to hand in making those assessments.

I note that at times many of our children are not afforded care and safety, and from what has come through my office and the conversations I have had with carers I believe that is worsened by bureaucracy and when we ignore the voices of children. This bill also highlights the desire for children to thrive by giving them a voice in decision making. The amendments to the principles of this act will further enshrine that. We need to ensure that we give children a greater voice. We must also provide support to enable them to do that. We have seen an increase in statistics that demonstrate children's mental health and wellbeing is at greater risk. We have statistics that demonstrate a greater number of children in the care of the state, particularly the over-representation of First Nations children.

I want to highlight the Aboriginal and Torres Strait Islander Child Placement Principle: the prevention principle, that a child has the right to be brought up within the child's own family and community; the partnership principle, that Aboriginal and Torres Strait Islander persons have the right to participate in significant decisions under this act about Aboriginal or Torres Strait Islander children; the placement principle, that if a child is to be placed in care the child has a right to be placed with a member of the child's family group; the participation principle, that a child and the child's parents and family members have a right to participate, and be enabled to participate, in an administrative or judicial process for making a significant decision about the child; and the connection principle, that a child has a right to be supported to develop and maintain a connection with the child's family, community, culture, traditions and language, particularly when the child is in the care of a person who is not an Aboriginal or Torres Strait Islander person.

The LNP supports all of those placement principles. What I cannot support is children who are removed from loving foster families or loving family members and placed back into risk, placed back into harm's way, placed in geographical locations where the department does not have access to check on those children. Who is listening to those children from the Cape and Indigenous communities in Far North Queensland, Cairns, Western Queensland and Mount Isa? I hear from carers and foster carers who report harm to these children after visits with their kin or family members. Frankly, the right of a child to be safe, secure and protected from sexual harm, violence and assault is a right every child should have, no matter the colour of their skin, their cultural heritage or their background. It has to be paramount. That is certainly not consistent with the cases that have come before me and that community members and community leaders in Cairns, Townsville and Far North Queensland have actively reported more recently.

I also want to touch on the unofficial policy of reunification that is starting to trend across this state. We encourage the placement of children with their families, but those families need support. Those families need to be ready. Those families need wraparound services. Those families need to be checked on. Sometimes those families are not ready to receive children back into their care. The Child Protection Act and the unofficial reunification policy—which is happening—are hastening the return of children when families are not ready, when they are not equipped, when they are not supported, when they do not have a secure and safe house for a child to live in, and when perpetrators of sexual assault still have access to those children. These are the stories that come through my office which I represent to the minister every single week.

All of the legislation, all of our good intent and all of the words that are being spoken here today in this bill about the rights of a child can continue to be spoken, but the practical resourcing and supports actually have to be implemented for every child—whether they live in Logan or in the Cape. Every child has the right to the same safety, the same security and the same support.

I would now like to touch on the changes around the blue card, in particular the information sharing when it comes to domestic violence orders. In a meeting I had with the Queensland Aboriginal and Torres Strait Islander Legal Service, they raised with me some potential unintended consequences of the domestic violence order interpretation. I ask the minister to clarify whether departmental staff who are carrying out these assessments are well trained in domestic violence. It was raised with me in relation to the information sharing surrounding domestic violence orders and blue cards that women may be less likely to apply for domestic violence orders if they believe it could impact their financial security. If they are concerned that their partner or ex-partner might lose employment, they may not apply for a DVO so there are unintended consequences.

Also, victims are often misidentified as perpetrators and that could have a negative outcome on blue card applications and be a further disadvantage. That was also raised in the McMurdo review, in particular around the over-representation of First Nations women who are alleged to be perpetrators themselves when this is not correct. That is something we certainly want the department to be mindful of.

It was also raised with me in my meeting with the Aboriginal and Torres Strait Islander Legal Service that domestic violence orders are often used at different times in very complex child custody and Family Court cases so there could potentially be unintended consequences. Given that taking out

a DVO is such a big step for a woman—and for a male in some cases as well—we do not want to put any barriers in place. We support the QFCC's recommendations that this information should be assessed by those trained in this area so it can be sensitively assessed and so that no victims are impacted.

In regards to interstate sharing, this change is in line with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse. It is certainly a welcome change that many across our state wanted to see. We need these recommendations to be pushed through as swiftly as possible to ensure the safety of all children across our state.

I would also like to acknowledge the stakeholder engagement that was undertaken. All of these peak bodies meet with the government regularly, and I also meet with them regularly. In particular, Create Foundation and PeakCare have been strong advocates for this legislation, for the empowerment of a child's voice and for greater participation. I also mention those bodies that continue to advocate for those carers and for the increased support that is required to ensure that all of our children are protected.

I would like to highlight the increased pressure that we see on the department, in particular across North Queensland. There are increased staffing pressures caused by high attrition rates and, as I mentioned before, the geographical locations and the significant and complex caseloads. I wonder how the practice principles will be applied when there are increased attempts by the department to recruit but there are quite high attrition rates. Ultimately, what we want to see is a service that is supporting the empowerment of our children to ensure that they are protected.

I look forward to seeing how these changes to the act are going to operate and how they will further protect our children so that no more barriers are put in place and our children are not put at risk. We need to hear the voices and the needs of our children loud and clear—even if those needs are not what the department wants to hear. If they are in the best interests of our children, they need to be prioritised. With that, I commend the bill to the House.