




Speech By  
**Amy MacMahon**

**MEMBER FOR SOUTH BRISBANE**

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Record of Proceedings, 10 May 2022

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

 **Dr MacMAHON** (South Brisbane—Grn) (4.14 pm): The child protection system is meant to serve some of the most vulnerable kids in Queensland—those who badly need the protection and resources of the state. As we have heard, First Nations children are overrepresented in every area of the child protection and out-of-home care services compared to non-Indigenous children. It is vital that we ensure this system does not compound the other disadvantages that colonisation has inflicted upon First Nations people. Every single one of us owes it to kids in the system to get our child protection legislation right, and I want to make a few comments about where this legislation needs to be.

Much of this bill is heading in the right direction. The Greens have significant enough reservations around parts 5 and 6—amendments relating to blue cards—that we cannot support these, but in general, as my colleague the member for Maiwar has gone through in detail, this bill makes some welcome reforms to a vital system. Since getting elected, my office has heard dozens of stories from people suffering in the child protection system and we have been doing what we can to support parents, advocates and children. A few cases stick in my mind.

A mother got in touch with my office after having all of her children removed from her care. One of her children, however, had run away from care and returned to his mother. She was also caring for one of her grandchildren. Despite being deemed fit to care for these two children, she was unable to regain the care of her other children, despite having the support of family members and advocates around her. Two of her children were in the care of a non-Indigenous family, despite the children being Indigenous.

In another case, a grandmother shared footage of a child being removed from their family in visible and audible distress. In many of these cases, the families are victims of circumstances beyond their control—poverty, trauma and a chronic lack of housing. Advocates like Aunty Cephia Williams—a Butchulla and Darumbal woman who runs the Brisbane Sovereign Grannies Group—have been pushing for systemic change to keep families together.

The Greens are concerned about the disproportionate impacts that automatically cancelling a blue card without appeal would have on First Nations people. This bill proposes to do that where there has been a decision in another jurisdiction in relation to a working with children card. Where there have been negative notices or cancellations in other jurisdictions, there will be no rights of review or appeal. The submission from Sisters Inside articulates this issue. As Sisters Inside say, ‘greater national transparency and consistency of WWCCs’ is appreciated, but ‘the proposed amendments deny Queensland applicants and cardholders procedural fairness’. They say—

It is plainly procedurally unfair for a Queensland cardholder’s WWCC to be cancelled because of the operation of another jurisdiction’s decision-making process.

To be clear, as Sisters Inside spells out—

This will have the greatest impact on criminalised women, particularly Aboriginal and Torres Strait Islander women, who often have little resources or capacity to challenge adverse WWCC decisions.

We also share the concerns of organisations such as PeakCare that 'permitting the chief executive to request expanded criminal history information about a person from an interstate police commissioner' does 'not address the broader systemic issue relating to the current criminal history screening approach'.

Further, we need more funding and practical changes to provide support services to children and their families, including independent legal services to represent children. This bill proposes some welcome reforms to a really important system, but submitters have been clear in raising their concerns. It does not seem like the government has acknowledged these concerns in the final version of the bill. I will keep working closely with community members, advocates and children and their families to advocate for a child protection system that puts children and their families first.