



Speech By  
**Jessica Pugh**

**MEMBER FOR MOUNT OMMANEY**

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Record of Proceedings, 10 May 2022

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

 **Ms PUGH** (Mount Ommaney—ALP) (2.59 pm): I begin my contribution by acknowledging the tireless efforts of the Child Safety staff in our community and, of course, the foster carers. It is a very hard job. Along with the previous minister, I was lucky to get to go out to the Inala office and speak with some of the workers there. They truly do an amazing job. It is a really hard job and they do it for very little thanks, day in and day out. I place on record my appreciation for all that they do. I know that the work they are doing in the Inala office near my community is replicated right across the state of Queensland. I was lucky enough to visit with the former minister, Minister Farmer. I acknowledge the passion of all of the members of the committee and the ministers who have been working on this bill, the department and the many sector stakeholders who have made submissions as we have moved through this process of reform.

Previous speakers have touched on the fact that Queensland is currently midway through the 10-year review of the Supporting Families Changing Futures reform. As part of these reforms, the Child Protection Act 1999 is being progressively amended and reviewed. The explanatory notes have advised of the priorities around these reforms and the further amendments that are being made as part of this process. We have had some really fantastic submissions. I will touch on those later. There were 10 targeted face-to-face consultations attended by over 150 people, including children and young people, parents and their families, carers, peak bodies, service providers, legal professionals and departmental staff.

I want to reflect on how lucky I have been, not as a member of parliament but just as a member of the community, to get to know a few foster carers and observe their relationships with the children they are caring for. Obviously there are very strict privacy protocols around those relationships, but I can say that I have observed informally the really amazing job they do in providing stability, love and care for those children. It is a really beautiful thing to see. I know that there are a lot of foster carers throughout Queensland. I think every single member of this House would join me in thanking foster and kinship carers for the work they do.

A little while ago I was visiting a friend who had taken on a foster-child. She introduced me to the kids, who were primary school aged. They had just come home from school and were quite excited. They were chatting away about their day and my friend said, 'This is Jess. She is a member of parliament. She is a member of the government.' Now, to most six-year-olds that does not mean anything, but this kid immediately stopped, looked at me very seriously and then turned to her and said, 'Does she need to talk to me about something?' It was really interesting to see that change in behaviour. To see them interacting in this natural family environment and to see the excitement he had as he came home from school was a really wonderful thing. I thought it was interesting that he knew, at his young age, what a person from government might mean for him. That is an insight that most kids that age would not necessarily have.

This reform and the amendments in this bill are all about making sure that these kids actually have their voices heard. It is very clear to me that if this young fellow had a say he would very clearly want to stay where he is, because he is very happy there. He is well cared for and very loved as part of that family.

I really loved one of the comments made by Mr Jake Shields—I have heard him referred to a few times today—who is a young consultant from the Create Foundation. He said—

I dream of every young person having a smile on their face knowing that they have control over their own life ... nothing about us without us.

From speaking to the minister and some of the members of the committee, I know that is exactly the intent of this bill.

During the consultation process stakeholders recognised the importance of the legislative framework for protecting children's rights and said that they felt many children in care do not know or understand their rights or, if they do, how to actually go about exercising and executing those rights. The Create Foundation's 2018 national survey of children in care, published in the report *Out-of-home care in Australia: children and young people's views after five years of national standards*, found that only about 30 per cent of children in care in Queensland specifically knew about the charter of rights for children in care.

The bill proposes to amend the act to expand the broader purpose, to introduce participation principles into the Child Protection Act and to increase the list of rights. These reforms were supported by stakeholders. Ms Carly Jacobitz, the director from Life Without Barriers, stated—

Children and young people should be given the opportunity to have all of the information that is relevant to their world be that education, be that culture, be that family connection. That it is incumbent on us to facilitate those views and those wishes in the safest way possible.

Section 5A of the act provides that the main principle for administering the act is that the safety, wellbeing and best interests of a child, both through childhood and the rest of the child's life, are paramount. One of the stakeholders, Ms Sandra Oui, expressed the sentiment of ensuring children have a voice. At the Townsville public hearing she said—

It is about making sure our children have a voice. It is about making sure that when their voice is wanting to be heard someone is going to be there to give them that 100 per cent support that they are comfortable with. Like I said, we all come from different diverse cultural backgrounds and one shoe might fit one person but not necessarily fit another person.

That is a very good point. It is all about ensuring it is principle based rather than prescription based. The department stated—

What is in the best interests of a child will vary significantly from child to child, and in different circumstances for the same child. There is a risk that prescriptively defining 'best interests' will limit flexibility in considering the needs of each child, at each point of contact with the child protection system.

It is all about retaining flexibility and, therefore, allowing, as I said, a principle based and not a prescription based approach. We can then continue to be responsive to the needs of a child and to the voice of that child. The rights of children are enshrined in the charter of rights, which will be expanded by the bill, at clause 66, to include rights relating to culture, religion, language, fairness, respect, development of identity, personal belongings, and play and recreational activities.

I think there will be a lot of speakers in the debate today but, as I said earlier, the bill can be really well summarised in the words of Jake Shields—

Participation is fundamentally important for young people in care. They need to know that they are being listened to and they need to know that they have a say.

...

... nothing about us without us.

With those few words, I commend the bill to the House. I especially want to thank all of the stakeholders for their submissions, because it is their submissions and their voices that have contributed to the bill that we have before us today.