




Speech By
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MEMBER FOR BUNDAMBA

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CHILD PROTECTION REFORM AND OTHER LEGISLATION AMENDMENT BILL

 **Mr McCALLUM** (Bundamba—ALP) (12.23 pm): I rise to speak in support of the Child Protection Reform and Other Legislation Amendment Bill. As a government we are committed to a strong child protection and family support system that supports children and families, both now and into the future. We are committed to achieving this through strengthening and reinforcing children's rights in the legislative framework and by having an ongoing commitment to strengthening children's voices in the decisions that affect them. This bill amends the Child Protection Act to strengthen children's rights and children's voices.

One of the fundamental tenets of the Child Protection Act is to help ensure the safety, wellbeing and best interests of a child both through childhood and setting them up for the rest of their life. This bill amends the act to ensure that the general principles that are contained in the act in section 5B are relevant to making decisions about what is in the best interests of the child; for example, ensuring a child's safety and wellbeing through supporting the child's family and that, should it be appropriate for the child, the child should be able to maintain relationships with their parents and kin should they choose to do so.

The bill also provides dignity and autonomy to children and young people by amending the general principles to provide that a child has a right to express a view about what is and what is not in the child's best interests. Children and young people have made clear the importance of knowing their rights and wanting to be heard when they speak about what they need. They have made clear the rights they want to see protected such as the right to be treated with respect, the right to be treated fairly and the right to be allowed to be a child.

This bill proposes amendments to the charter of rights by expanding the list of rights enshrined in the charter to include rights relating to culture, religion and language, fairness, respect, personal belongings, and play and recreational activities. New rights include: the right to be treated fairly and with respect; the right to develop, maintain and enjoy a connection to the child's culture of origin; the right to religion and language; the right to engage in play and recreation; the right to develop, maintain and enjoy the child's identity; the right to keep and have a safe space to store personal belongings; and, importantly, the right to make a complaint to the chief executive if the child considers that the charter of rights is not being complied with.

This bill includes an obligation on the chief executive to ensure that children are regularly told about the charter of rights and their rights under it and a duty to ensure that those rights are complied with and that a child can contact the chief executive if the child has any questions or concerns about their protection and care needs.

This bill will help strengthen children's voices in the decisions that affect them by introducing participation principles to ensure that children and young people are provided with real and ongoing opportunities to have a voice by ensuring that people involved in the administration of the act genuinely listen and engage with trying to understand a child's view and by providing for children's views to inform the child protection system design and delivery of services.

The new child-centric participation principles include a new requirement for a person who makes a decision or exercises a power under the act relating to a child to ensure that the child is given meaningful and ongoing opportunities to participate. The new principles acknowledge that children choose to participate in a variety of different ways. For example, some may choose to participate verbally, while others would prefer to express their views by way of written statement or recorded audio or video. In some cases, children may wish to participate separately from particular people, including parents or carers. The new participation principles also recognise that children may choose not to participate, that children's views may in fact change over time and that some children may need assistance or help to participate fully. This recognises that care should be taken not to require a child to express a view or wish on a particular matter if they do not wish to and that children and young people should have the freedom to change their mind.

The bill will also amend the act to make Queensland the first jurisdiction in Australia to require children to be given a voice in the child protection system itself, genuinely empowering and supporting children to participate in the decisions about their lives specifically and the child protection system more broadly. It will provide that one of the chief executive's functions under the act is to ensure that children are given the opportunity to participate in policy and program development and service design.

I will now turn to the provisions in the bill that relate to the Aboriginal and Torres Strait Islander Child Placement Principle. Queensland was the first state to legislate all five elements of the Aboriginal and Torres Strait Islander Child Placement Principle. The prevention element of the principle provides that a child has the right to be brought up within the child's own family and community, and that is particularly important when we consider the devastating reality of government policy in this country as it relates to the stolen generations. The partnership element currently provides 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 element states 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 and the participation element states 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 a child. Finally, the connection element provides 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.

This bill proposes to amend the Child Protection Act to require that, instead of simply having regard to this principle, active efforts must be made to apply the principle—a very important distinction. This means efforts which are purposeful, thorough and timely. This amendment responds to feedback from stakeholders received during consultation, including the Queensland Aboriginal and Torres Strait Islander Child Protection Peak which has strongly advocated for these active efforts, and I want to acknowledge the contribution that it has made to this legislation. Our laws are coupled with historic investment in child safety. Our record is one that includes approximately \$1.5 billion of investment in child and family services. That includes more than 150 new frontline child safety worker positions that have been created to boost services for Queensland's most vulnerable children and families, and more frontline staff mean that we will be working more intensively with children and families sooner. It also means creating a more meaningful relationship with children and families in need.

I acknowledge the work of the minister in bringing this bill before the parliament and also the committee. In conclusion, our child safety workers do an incredible job, often in unimaginable circumstances, and that vital work is to be valued and appreciated. I acknowledge and place on record the commitment and dedication of everyone involved in child safety and protection. There has been a tremendous shift in community attitudes when it comes to child safety and we are seeing more and more people willing to stand up and take responsibility for the safety of children, because protecting children is everyone's business and everyone has a role to play in keeping children safe. I commend the bill to the House.