




Speech By
Hon. Leanne Linard

MEMBER FOR NUDGE

Record of Proceedings, 10 May 2022

CHILD PROTECTION REFORM AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for Children and Youth Justice and Minister for Multicultural Affairs) (5.27 pm), in reply: I thank all members for their contributions to the debate on the Child Protection Reform and Other Legislation Amendment Bill. I thank them for their support for these important reforms. I will now turn to a number of the issues raised by various members during the debate, noting of course that my colleague the Attorney-General has already addressed those issues raised in respect of the blue card amendments.

I will first touch on reunification because there are a number of members who have touched on reunification with the general theme being that we move too quickly and perhaps pursue too aggressively reunification in situations where it should not be. I acknowledge how complex this space is. Equally we receive criticism about the low levels of reunification. It may surprise members to know that the level is low. The agency takes a very careful approach, acknowledging the complexity of the issue. What always guides it is what is in the child's best interests. If a family meets the threshold under our act for a child to be removed or for there to be intervention there are clearly significant issues in that family. We often have to work with them for a long time and give them significant support before reunification can be considered.

I inform the House that there were 435 children reunified with their families in 2020. That is not a huge number. The agency does not seek to reunify in situations where they do not think it will succeed. A positive note is that almost 90 per cent of those children remain safely at home 12 months after they were reunified. I think that that is absolutely a reflection on the work that the agency does to ensure that the right children are reunified at the right time with their families. What is of paramount concern and what guides us is the purpose of the act, and that is to serve a child's best interests.

In her contribution, the member for Whitsunday asked why the bill does not define what is in a child's best interests. Clause 8 of the bill amends the general principles in section 5B to clarify their application when a decision-maker considers a child's safety, wellbeing and best interests. What is in the best interests of a child will vary significantly from child to child and in different circumstances for the same child. As noted in a submission from a statutory body to the 2019 consultation process, determining the best interests of the child needs to occur on an individualised case-by-case basis. There is a risk—and I think a very real risk—that prescriptively defining best interest will limit flexibility in considering the needs of each child at each point of contact with the child protection system. Sections 5A and 5B of the Child Protection Act instead provide a principles-based approach which can be tailored to the needs and circumstances of each child.

Refusal of a request to review a case plan was an issue raised by the member for Maiwar. He asked why the bill enables that to occur. Currently, the Child Protection Act enables a child or their long-term guardian to request a view of the child's case plan. Clause 24 of the bill is intended to extend

this right to children without a long-term guardian. The Child Safety Practice Manual provides guidance for child safety officers relating to a review of a case plan in line with part 3A of the Child Protection Act, and it requires that a child's case plan must be reviewed regularly and at least every six months.

The chief executive may decide not to review a case plan upon receiving a request in circumstances where it may not be considered necessary. For example, the Child Safety Practice Manual states that a review of a case plan may not be needed if a request by the child or long-term guardian for additional financial or practical support can be assessed and approved through casework or a case plan review was recently completed as part of the required review process and the child's circumstances have not significantly changed. Guidance within the Child Safety Practice Manual emphasises that case plan reviews are a key part of the case planning process. They provide an opportunity for the child, their parents and their safety and support network to share information on progress and determine what other actions can be taken to achieve the overall case plan goals.

I also want to touch on a point that the member for Whitsunday made, because I think it has application to all members in this House—certainly her office and mine by nature of our roles—and that is the many difficult issues that come into our offices, often with significant detail. I want to acknowledge the things that our teams—our electorate officers and ministerial staff—have to read and how difficult and challenging that is, because I do not think there is any simple issue that comes to my agency. I appreciate that is the case for all electorate officers in this place. I know, because I read every single letter and email that the members in this House send me and I respond personally. I want to acknowledge what all of your teams are reading and what you are reading and how difficult that is. In doing so, I acknowledge that is the job of the people in my agency because that is their work. It speaks to the difficult and challenging nature of child safety and the issues that families are experiencing. I do want to acknowledge that. The member for Whitsunday does regularly raise those issues and pass them on to me, and I acknowledge that.

The member for Mansfield, as the chair of the committee, spoke so beautifully in respect of her passion and experience as a teacher. She brings a wealth of experience to these inquiries and these issues. I really appreciate working alongside her. In her contribution she made mention of a Create young consultant, Jake Shields. I meet with Create quarterly, but I meet with children in care, whether that is in-care arrangements, out-of-home-care arrangements or residential homes, as often as I can to hear their voices. You should never have a favourite, but I have to acknowledge that Jake is one of mine. He has had a tremendous impact on me personally. When I am considering change and reform in the system, Jake is someone to whom I reach out to hear his stories and his voice. I am having dinner with him—

Ms Fentiman: He's awesome!

Ms LINARD: Yes! I take that interjection from the Attorney: he is awesome. He has actually aged out of being a Create consultant, but I am keeping him on as a private consultant, as a ministerial consultant, because he is extraordinary. He is coming in tomorrow night to have dinner with me, along with a number of Create consultants and young people with experience in the child safety system. They have not been to parliament, so we are going to have dinner together and I am going to spoil them. I want to acknowledge his voice and the great work that Create does.

I also want to acknowledge the member for Pumicestone when she called out the impact that politicisation of the system has on morale. While I call out her comments and her honouring of the passion of carers and the need for culturally appropriate and safe practices, I also want to mention the member for Buderim's contribution. Equally, the member for Lytton acknowledged that it was moving. I want to thank him firstly for him and his wife doing foster care training, for being willing to open his home and consider doing that, because we cannot do what we do without the thousands of foster and kinship carers across the state. They make this system work. Equally, the member for Buderim made a really honouring contribution of the system. I know the system does not always get it right. It will never always get it right. I always acknowledge that it has to evolve. I will never be defensive or embarrassed to stand up when I need to and say sorry when it gets it wrong, but I also believe in the system and the people in it.

I travel extensively around the state meeting with the people in this system—the child safety officers, our regional directors, our cultural practice advisers and our executives in Brisbane—and there is absolutely no question that these people get out of bed every day because their passion is to serve the interests of children. That is what drives them every day, and no amount of politics in here will ever further the interests of children in the Queensland community. I do not play politics with this issue; I think that people are clear on that. Every time I stand up and speak about the system I am talking about those children and young people, and I am trying to amplify their voices and not play politics with it. Member for Buderim, I thank you for not doing so in this place, for being honouring. It is much appreciated.

I just want to make a final comment with regard to the issues that the member for Traeger raised and then I will turn to the implementation of the bill and make some final comments. I do not always agree with the member for Traeger's position on issues, but I really respect that he genuinely has the interests of his community at heart. He consistently raises the same issues but he comes with solutions. I do not always agree with those solutions either, but he always comes to the table with something. He does not just throw political bombs because he can. I have had to say 'no' many a time and vote down private members' bills he has brought before this House when I used to chair child safety inquiries in my first two terms here, but I always respected that about him. I know he has a private member's bill in this House. I am not going to get into his comments around a two-tiered system of blue card. I know that is something he thinks is a solution. We will talk about that later when the private member's bill comes forward. I do want to honour that about him. He is always at the table. He has a complex electorate. Whenever I travel there he makes the time to meet with me and talk about some of the really complex cross-jurisdictional issues he faces.

I want to move now to implementation of the bill, because people have sought some clarification in respect of that. The commencement of the amendments in the bill will happen in two tranches. It will enable the department to effectively review policies, procedures and other guidelines for staff to ensure alignment with the amendments. Implementation activities will include training of frontline child safety officers and our non-government staff to ensure a shared understanding and effective implementation of the changes. I take people's comments on board. It is great to talk about these things, but in terms of how it will happen in practice we need to honour that. It needs to happen in practice and it needs to consistently happen in practice, and that is a tricky thing across a big state like this.

Information and communication campaigns are also proposed to be conducted. These will focus on departmental staff, funded services and peak bodies as well as carers and families. A dedicated implementation team within the department is being set up to effectively implement the bill. The department proposes to work with the Create Foundation to ensure the voices of children and young people are heard and considered in the implementation of the bill. The department also proposes to work with relevant stakeholders in relation to the implementation of active efforts with regard to the Aboriginal and Torres Strait Islander Child Placement Principle, noting that the amendment aligns the Child Protection Act with current departmental practice guidance.

We will work closely with fierce stakeholders in this space—like QATSCIPP, like Natalie Lewis in the Queensland Family and Child Commission, like Jody Currie, like our First Nations and families boards within the agency. They will hold us to account to those, as they should, and we welcome that.

I want to make some concluding reflections in the time I have left. I want to acknowledge the reform journey that we have been on over the past eight years as a government because this reform continues that work. We have had \$1.2 billion in new funding since coming to government in 2015, as well as 550 new staff to June this year, with a commitment in last year's budget of an additional 153. We have brought caseloads down to 16 per CSO from 21 per CSO. I want to acknowledge the significant contribution made by my predecessors—the Attorney-General, Shannon Fentiman, and Minister Di Farmer—because I continue their good work. They made a significant contribution to this space. The child safety system we have is much stronger and more robust in 2022 because of those investments. I have absolutely no doubt about that.

I also want to acknowledge where we are now: 93,000 children known to Child Safety each year; one report made every four minutes, with 134,000 reports; and three out of every four households we work with experiencing domestic and family violence, drug and alcohol abuse, mental health issues or criminal histories. Child safety notifications are up, even with all of that investment, and COVID has exacerbated vulnerability in families that were already struggling. However, across the state, child safety officers are responding faster to the most urgent calls and they are working with families in need longer. They are doing more in difficult circumstances, and I acknowledge them.

I also want to acknowledge where we are going as an agency. We want to halve the dependence on residential care. We want to double kin care. We know young people should be with a foster or kinship carer when appropriate, and residential care services provide an incredibly important service and an intensive therapeutic service when that is appropriate. We are investing in a renewed focus on permanency practice. We are walking with courage with our First Nations communities and child protection peak, QATSCIPP, to see delegated authority extended in this state because we are focused on reducing the over-representation of Aboriginal and Torres Strait Islander children in our system. We want to amplify and elevate the voices of children and young people in the system—in their own situations and their own case plans. In the system generally, we want to reform the whole system based on their voices and their asks and that is what this bill does.

I want to again acknowledge the dedication and passion of foster carers and kin carers and our partners in the non-government sector. Child safety is everyone's business, and we need everyone to work together alongside the community to call out abuse and neglect in our communities. I want to

acknowledge my department and my director-general, Deidre Mulkerin—a more than 30-year veteran of child safety, a child safety officer herself. I want to acknowledge her leadership and her expertise in this space and her courage to continue to lean into this space around how we reduce over-representation in the system. I acknowledge my deputy directors-generals—Kate, Rob, Phil and Dr Meegan Crawford—as well as all of our team in the central office, our regional executive directors and regional directors, our cultural practice advisers, our CSOs and all of our frontline staff out in our regions across Queensland. As I said, when I travel the state, their passion is not in question. Much of their work is done quietly and respectfully inside families' homes. You will not see it and you will not hear of it, but I acknowledge them.

I want to acknowledge the support team on the bill here in the House and in 1 William Street—Helen Missen, Erin Biles, Emily Woodford and Rachel Platzer from my department and Greg Bourke from DJAG on blue card issues. I thank them for their support on this bill and in all policy and legislative matters that we work together on.

This bill will create a stronger framework with which we can achieve the best possible outcomes for Queensland's children and young people. The bill delivers reform in three key focus areas: reinforcing children's rights, strengthening children's voices, and streamlining, clarifying and improving the regulation of care. It amplifies the voices of children and young people—the very people that the system is here to serve. I commend the bill to the House.