




Speech By
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MEMBER FOR CAIRNS

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CHILD PROTECTION REFORM AND OTHER LEGISLATION AMENDMENT BILL

 **Mr HEALY** (Cairns—ALP) (12.44 pm): The short title of the bill is the Child Protection Reform and Other Legislation Amendment Bill. I stand here to make my contribution. As I do, I acknowledge the extremely hard work that ministers have in this particular portfolio. In my four years in this chamber as a proud member of this government, I have seen two extremely competent women take charge of what is a very difficult portfolio. I extend those niceties to both of those women and also to those who work in the department and many other areas. I recognise the significant challenges and emotional attachment that goes with what is the most important role that we have and that is protecting our children. It is an enormously difficult role. I begin by acknowledging that because, to be honest, I think I would struggle. I get emotional when I look at some of the issues that are being dealt with on a daily basis and the challenges they face. I also acknowledge that the committee, under its outstanding chair, has done some excellent work. I commend it for what it has done.

Queensland is more than halfway through the 10-year Supporting Families Changing Futures reform program. As part of those reforms the Child Protection Act 1999 has been progressively amended. It was amended in 2014 and it was amended again in 2016 and 2017. It was comprehensively reviewed between 2015 and 2017. Priority amendments were made to the Child Protection Reform Amendment Act in 2017, with further opportunities for improvement to be progressed in subsequent stages.

Before I became a member of parliament I spent 35 years working in the tourism industry. My mother and father instilled in myself, my brothers and my sisters that we always had to give back to our community. Ten years before I became the member I met with Desley Boyle, who at that stage had the great privilege of being the member for Cairns. She encouraged me to join an organisation called Access Community Housing. Access Community Housing was one of the largest not-for-profit housing organisations. The position was completely voluntary. I was working in the tourism sector and doing a lot of international travel, but I enjoyed this job. For five years I sat on the board and then for the last 4½ years I became the chair of that organisation.

In my role I could see the significant demand that was out there. What we call the traditional family unit, or the family unit today, is under siege and that is why we need to make amendments to this legislation and we need to make sure it is well funded. This has been going on for a very long time. I am pleased to see that these amendments are being introduced. They will have positive impacts not only in my community but also right across Queensland. The options in the discussion paper are intended to address the outstanding recommendations from the Queensland Child Protection Commission of Inquiry, the Royal Commission into Institutional Responses to Child Sexual Abuse and the Queensland Family and Child Commission under the heading 'Keeping Queensland's children more than safe'. The options in the discussion paper naturally also took into account the Human Rights Act 2019 and legislative frameworks in other jurisdictions.

The former department of child safety, youth and women received 54 written submissions, 181 responses through the Get Involved website, 210 responses through the Youth eHub and undertook 10 targeted, face-to-face consultation sessions attended by over 150 people, including

children, young people, parents, families, carers, peak bodies, service providers, legal professionals and, of course, departmental staff. I thank each and every one of those people who participated in this vitally important process. It is essential that we get the feedback. That helps us correlate the data and put the legislation together. In the future we will continue to ask these people to make their important contributions.

I highlight that the bill will achieve its objective of reinforcing children's rights in the legislative framework by requiring the Aboriginal and Torres Strait Islander Child Placement Principle to be applied to a standard of 'active efforts', meaning efforts that are purposeful, thorough and timely—these are key words; broadening the purpose of the act to reflect the intent of the legislation and the functions of the chief executive; clarifying how the general principles for ensuring the safety, wellbeing and best interests of a child apply when determining a decision or action is in that child's best interests; and ensuring children are provided with information about their rights and where they can seek help. This is essential.

Having the rights is important but knowing how to access and understand them is just as essential in the process. The bill's objectives will also be achieved by expanding the list of rights enshrined in the charter of rights to include rights relating to culture, religion and language, fairness, respect, development of identity, personal belongings, play and recreational activities; and expanding the existing reviewable decisions framework to allow children to more effectively question decisions made about their care. Bringing these children into the decision-making process not only expands their opportunity for maturing and understanding the challenges but also develops critical thinking, which is essential. Changing the wording of the partnership element of the Aboriginal and Torres Strait Islander Child Placement Principle will more clearly reflect and clarify the department's commitment to partnering with Aboriginal and Torres Strait Islander peoples, community representatives and organisations in policy and also in program development, service design, delivery and individual child protection case decision-making.

Importantly, information about the existence of domestic violence, particularly where more than one domestic violence order has been issued and there are different complainants, is relevant to a blue card assessment. The Queensland Family and Child Commission acknowledged that considering civil domestic and family violence information as part of a blue card assessment is complex but that assessing this information where there is any criminal history will strengthen the blue card system, enabling a holistic approach. Currently, Queensland has no visibility of decisions made in other jurisdictions and there is no ability under the working with children act for Blue Card Services to share information about blue card outcomes with worker screening units in other jurisdictions.

In its entirety, the bill will support or address outstanding recommendations from the royal commission and the criminal justice report as well as some proposals from stakeholders gathered during the consultation process that I talked about, which was obviously extensive. Strengthening children's voices is a very important part of this process. Most other Australian states and territories have legislative provisions expressing that children and relevant family members should be encouraged and given adequate opportunity to participate fully in the decision-making process. Victoria's legislation, for example, requires the decision-making process to be conducted in a way that the persons involved are able to participate in and understand the process, including any meetings that are held and decisions that are made. The proposed amendments in the bill extend well beyond similar provisions in other jurisdictions. No other jurisdiction places a proactive obligation on a decision-maker to generally listen to, engage with or try to understand the child's view.

I finish by saying that our commitment to supporting this financially has been reflected. We know this needs resourcing. There is a significant disparity between us and those on the other side when it comes to funding these vitally important programs. It is essential and we will continue to do that. There are few greater responsibilities than the protection of our children and we need to ensure we have updated, purposeful and effective legislation. These actions strive to ensure those outcomes. I acknowledge the hard work of the minister, the department and the committee. I commend the bill to the House.