




Speech By  
**Corrine McMillan**

**MEMBER FOR MANSFIELD**

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## **WORKING WITH CHILDREN (INDIGENOUS COMMUNITIES) AMENDMENT BILL**

 **Ms McMILLAN** (Mansfield—ALP) (5.47 pm): On 1 September 2021, Mr Robbie Katter MP, member for Traeger, introduced the Working with Children (Indigenous Communities) Amendment Bill 2021 and referred it to the Legal Affairs and Safety Committee for detailed consideration. On 2 December 2021 the committee's reporting date was extended by the Legislative Assembly to 31 October 2022. The committee tabled its report on 31 October 2022. This bill primarily amends the Working with Children (Risk Management and Screening) Act 2000 to establish a new blue card framework that empowers First Nations communities to make decisions which best serve their interests in relation to child protection and employment of community members.

According to the explanatory notes, this bill proposes to achieve this objective by creating a blue card assessment framework that would overcome the limitations of the current blue card system by enabling a local community justice group, as defined in the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984, to make a binding recommendation to the chief executive to issue a restricted working with children clearance to an individual for work within that community. This would apply even if the individual would be issued a negative notice by the chief executive due to previous criminal offences.

During the committee's deliberations the committee heard that the process of applying for a blue card in remote communities can be exhausting and retraumatising to First Nations people due to a number of factors, including intergenerational trauma, language barriers and complexities around formal documentation as to identity. Further, blue card applicants in First Nations communities, particularly in remote communities, face significant disadvantage when it comes to online applications. For example, a lack of facilities and issues with internet access and wi-fi can severely limit an applicant's ability to communicate with Blue Card Services, thus contributing to delay and inequity.

The Legal Affairs and Safety Committee also heard how negative blue card notices are contributing to social displacement and impeding kinship-care arrangements. Their inquiries revealed manifest disadvantage, including that negative notices impact not only individual families but also the wider community by disconnecting young people from family, country, language and culture. That disconnect is unjust. I note that the Legal Affairs and Safety Committee's report on the private member's bill refers to the Community Support and Services Committee's report from 2021 on the Child Protection Reform and Other Legislation Amendment Bill 2021. At that time, my committee encouraged the Department of Justice and Attorney-General to investigate the nuances and barriers with regard to First Nations peoples obtaining blue cards for employment purposes. That recommendation was supported by the Queensland government.

Since 2021 and in response to the QFCC's blue card report, Blue Card Services also implemented several strategies to improve participation in the blue card system, including providing applicants who identify as Aboriginal and/or Torres Strait Islander with assistance in cultural capability

training for staff, developing specific information resources that promote key messages in a culturally sensitive way and that debunk myths about providing a blue card, and providing free tailored workshops in person and online.

At its heart this bill proposes the creation of a two-tiered system that is directly contrary to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse that equity in child protection is upheld while diverse needs are taken into account. The bill, if passed, would create more problems than it seeks to solve.

The Legal Affairs and Safety Committee made seven recommendations following their examination of the bill, including that First Nations communities have available more assistance with blue card applications and that the Queensland government consider reviewing family related definitions under the act and their application to First Nations peoples. The committee also recommended that there be clear guidance provided to large employers and the construction industry that would have the effect of supporting organisations to develop child-safe policies that do not necessarily rely on the positive issue of blue cards.

Whilst the government will not be supporting this bill, the government has committed to accepting all seven of the recommendations made by the Legal Affairs and Safety Committee in their report published in October 2022. Like my colleagues, I thank Katter's Australian Party for bringing to the parliament, amongst others, this bill on a crucial issue for many people in our First Nations communities.