




Speech By
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MEMBER FOR COOPER

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WORKING WITH CHILDREN (INDIGENOUS COMMUNITIES) AMENDMENT BILL

 **Ms BUSH** (Cooper—ALP) (6.32 pm): I rise also to speak to the Working with Children (Indigenous Communities) Amendment Bill. The bill was introduced into the Assembly by the member for Traeger, Robbie Katter, and referred to the Legal Affairs and Safety Committee in September 2021. In summary, the private member's bill, if passed, is intended to reduce the range of criminal charges and convictions that would be considered as part of a working with children check for a person who applies for a blue card for use in a discrete Aboriginal or Torres Strait Islander community. The bill would enable the community justice group for the community to make a binding recommendation about a community member's application for that blue card. The committee's task was to consider the policy to be achieved by the legislation, the application of fundamental legislative principles and compatibility with the Human Rights Act.

After examination of the bill, including consideration of those policy objectives, stakeholders' views—of course, we travelled throughout Queensland speaking with discrete communities—and information provided by the member for Traeger and from the department, the committee did recommend that the bill not be passed. The committee did give regard to a number of recent review recommendations designed to reduce the risk of harm to Queensland's children including those contained in the Royal Commission into Institutional Responses to Child Sexual Abuse in 2015; the Queensland Family and Child Commission blue card review in 2017; the policy intentions behind the Working with Children (Risk Management and Screening) and Other Legislation Amendment Act, passed by Queensland parliament in 2019; and the Child Protection Reform and Other Legislation Amendment Act, passed by Queensland parliament in 2022. Many of the elements in this private member's bill were in contrast to those review recommendations and policy objectives.

The committee, however, recognises the intention behind the private member's bill. There is dignity in work and ensuring that Queensland's First Nations peoples strive for, apply for and gain employment in the same sectors at the same rate as non-Indigenous people. It is critically important, and that is reflected in Queensland's Closing the Gap targets.

I would like to read part of the oral submission that was provided to our committee by Mr Kyle Yanner, the mayor of Mornington Shire Council, who said in terms of negative notices and blue cards—

It stops us from getting jobs. It stops us from building our knowledge, building our skills, building our capacity to live out our dream, to run this island—from the CEO to the cleaner, from the principal down to their cleaners. We want black sergeants, black doctors and black nurses. I guess Blue Card is saying it might be a bit too late, but it is not too late. Anyone can become a doctor. You can start uni at any age. Like I said, it holds us down. We cannot get a job. It knocks the fire out of our bellies when you get knocked back like that ...

I think this statement really sums up the importance of ensuring that those who do not present a risk to children should be assisted to obtain a blue card. Accordingly, the committee considered and identified alternative ways to achieve the intent of the bill to address some of the difficulties experienced by people in Aboriginal and Torres Strait Islander communities within the blue card system.

The committee heard that, while the department had progressed a number of recommendations contained in the QFCC blue card review, expediting a focused number of outstanding recommendations would have a substantial positive impact on First Nations people applying for a blue card. Therefore, the committee recommended that the Queensland government accelerates implementation of the blue card recommendations, in particular recommendations 41, 43, 46 and 54.

The committee heard both from communities and from the department that many employers are requesting prospective employees have positive blue cards, not because the position requires one but from this abundance of caution from the employer. The committee believes that the Queensland government needs to address this by issuing clear guidance to large employers, in particular employers in the construction industry, who are some of the largest employers in regional and remote locations, about their requirements under the Working with Children (Risk Management and Screening) Act.

Following the public hearings, the committee was particularly concerned about the impact that negative blue card notices were having on kinship carers within the child protection system. We know that being placed with family is the best way to keep Aboriginal and Torres Strait Islander children safe in the child protection system. Being placed with kin better promotes connection to family, country, language and culture. While the committee was not inclined to recommend legislative reforms that might unintentionally result in reducing that threshold for keeping children safe, the committee did see value in recommending that the Queensland government consider legislative amendments to allow for the disclosure of information between government departments to streamline and facilitate the timeliness of blue card and kinship care approvals. These recommendations have been intended to have that positive impact on both First Nations applicants and prospective non-Indigenous blue card holders; however, the committee did recognise the unique challenges facing those living in discrete Indigenous communities.

Submitters from some of those communities shared with the committee their unique challenges in applying for a blue card when based in a remote location. Intermittent access to reliable technology, the inability to reach out to departmental officers, and challenges with understanding and navigating that complex administrative request by the department were really common themes. The committee believes that trialling a program of dedicated officers based in Indigenous communities will assist and has made such a recommendation. It was great to hear today from the Attorney-General that a pilot of blue card liaison officers will commence. I think that will make a substantial difference in those communities. The committee has recommended that the Queensland government report back on its progress on implementation within 12 months.

On behalf of the committee I would like to thank those individuals and organisations who did make submissions to the bill. I think it is important to acknowledge that it was not an easy issue for people to talk about. There can be a real sense of shame for people to talk about receiving a negative notice. I really want to say how very grateful I was for the people who did share their stories—who came out, who made the effort, who sat there, who went through quite a formal process to share that with us in a public setting. It really was those stories that helped to illustrate the opportunities to do things differently.

I would like to thank the member for Traeger, Robbie Katter, for bringing this to the parliament and for his attendance and contribution at the committee hearings. It was really worthwhile. While I cannot support the member's bill, I am really encouraged that the government has accepted all of the committee's recommendations. I really do believe that these recommendations will make a material difference to the lives of people who have struggled to get a blue card not because they necessarily present a risk to children but because, for them, navigating that system is just too overwhelming and impossible to break through. I think this will impact on the employment prospects for people and it was great to be a part of that process.