




Speech By
Hon. Leanne Linard

MEMBER FOR NUDGE

Record of Proceedings, 21 February 2023

WORKING WITH CHILDREN (INDIGENOUS COMMUNITIES) AMENDMENT BILL

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for Children and Youth Justice and Minister for Multicultural Affairs) (6.48 pm): I rise to speak against the Working with Children (Indigenous Communities) Amendment Bill in respect of my portfolio areas of children, youth justice and multicultural affairs. From the outset I would like to thank the member for Traeger for his briefing on this bill last year and also thank the committee for its examination of the bill and recommendations. I also thank those who appeared as witnesses as part of the committee's inquiry, including in Mount Isa, Yarrabah and Palm Island. Those are some of the same communities that were consulted on the 2019 bill that the member for Traeger previously introduced, and that was an inquiry that I then chaired.

I do want to acknowledge the long period of time the member for Traeger has been raising these issues and wanting to have this conversation and the participation of those communities in this conversation. I note that the committee made seven recommendations, including that the bill not be passed. We are supporting all of those recommendations.

The purpose of the bill is to provide a new blue card framework that empowers Aboriginal and Torres Strait Islander communities to make decisions that best serve their interests in relation to child protection and the employment of community members. This is certainly a purpose that we support and one that we continue to work alongside communities to achieve, whether through the Our Way Strategy, our work in respect of delegated authority, intensive family services, community partnership innovation grants, and the reforms that will come about following the committee's recommendations with regard to this bill.

The bill has implications for Aboriginal and Torres Strait Islander children and families who are disproportionately represented in the child protection and youth justice systems. Young people who are transitioning from care may require a blue card for a number of reasons, including for education, employment and post-care accommodation. The bill also has implications for Aboriginal and Torres Strait Islander families who provide kinship care for family members under the Child Protection Act. For a kinship carer to be approved not only does the primary carer need a blue card but also all adult members of the household. For Aboriginal and Torres Strait Islander households this may require a larger number of people in the family or kinship group to be assessed for a blue card.

Kinship care has many benefits for vulnerable children. It provides stability and safety as well as the ability to maintain family connections and cultural traditions. It is something we are incredibly committed to, incredibly committed to growing, and we have seen growth in that respect here in Queensland. I take this opportunity to thank the many kinship carers across Queensland for the wonderful work they are doing to keep children safe and supported in culture and community.

It is extremely important that legislation is culturally relevant, and I acknowledge that further work is required to ensure that the blue card system does not create unnecessary barriers for Aboriginal and Torres Strait Islander people in employment and kinship care households; however, while well intentioned, this bill would lessen existing safeguards and is inconsistent with our No Card, No Start

reforms—Queensland’s strong working with children laws. They should be strong; we are talking about children. We are talking often about a particularly vulnerable cohort. I refer to the comments I made in 2019: a two-tiered system does not serve that purpose. My comments remain the same. Though well intentioned as the bill is, it does not serve the best interests of children and the safety of children.

What I do fully support is the committee’s recommendations, and in particular I note the committee’s comment that the implementation of the recommendations in the QFCC’s blue card review report would go a long way to solving many of the issues existing in Indigenous communities regarding blue cards. I support the Attorney-General’s comments with regard to ensuring those recommendations are being instituted in communities. With the clear intersection between the child protection and blue card frameworks, my department is actively working with Blue Card Services to develop culturally responsive processes and respond to the committee’s recommendations. My department is undertaking consultation with peak bodies and other representative organisations regarding options to support the implementation of the child-safe standards in Queensland as another way to guarantee safe environments for children.

The views of stakeholders will inform further work to determine the best way forward for implementing child-safe standards in Queensland. My department is partnering with the Department of Justice and Attorney-General and the QFCC on a project which aims to better understand the similarities and differences between kinship care and blue card assessments. This work will build a stronger evidence base to improve interactions between the two systems. My department has also been collaborating with the Department of Justice and Attorney-General to further consider the issues raised by the inquiry, including considering how the Child Protection Act and the Working with Children (Risk Management Screening) Act work together in relation to some family related definitions and their application in Indigenous communities.

The department is also directly working with the Department of Justice and Attorney-General on *Safe children and strong communities: a strategy and action plan for Aboriginal and Torres Strait Islander peoples and organisations accessing the blue card system 2021-2025* report. This strategy and action plan is about empowering First Nations communities and organisations by providing a more supportive system through each step of the blue card process. The department is committed to this work and actively supports Blue Card Services as they work through the strategy and action plan. It goes to the heart of some of the key issues the member for Traeger raised, his concerns and the reason for bringing the bill—I appreciate not in regard to employment, but about families and family kinship care arrangements—but also those picked up by the committee in their comments in the bill. We have heard some of those here today.

In closing, I want to reiterate my thanks to committee members and the secretariat for their work in considering this bill, for their travel and for ensuring that they went to community to hear the voices of community. I acknowledge that the member for Traeger’s efforts, though well intentioned, would lessen the safeguards. For this reason, I cannot support the bill. We will, however, continue to pursue practical reforms with respect to blue cards and the empowerment of local Indigenous communities in that process.