



Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

Record of Proceedings, 21 February 2023

WORKING WITH CHILDREN (INDIGENOUS COMMUNITIES) AMENDMENT BILL



Hon. SM FENTIMAN (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (5.40 pm): I want to acknowledge the advocacy of the member for Traeger and the work he has done, particularly with the community justice group on Mornington Island, in introducing the Working with Children (Indigenous Communities) Amendment Bill. As the minister responsible, I absolutely believe we need to do more to work with our First Nations communities around blue cards. I thank the committee for their excellent recommendations and I am really pleased to have the opportunity to talk a bit about what we can do in this space.

I note that in their report the Legal Affairs and Safety Committee recommended the bill not be passed. Accordingly, I advise the House the government will be opposing the private member's bill, and I table the final government response to the committee report.

Tabled paper: Legal Affairs and Safety Committee: Report No. 38, 57th Parliament—Working with Children (Indigenous Communities) Amendment Bill 2021, government response [173](#).

I can advise the member for Traeger that we are supporting all of the recommendations in the committee report. Again, I acknowledge that while very well-intentioned, this bill would lessen existing safeguards. As the member for Toohey said in his foreword in the committee report—

At its heart, this Bill recommends the creation of a two tiered system. ... The Bill, if passed, would create more problems than it seeks to solve.

If passed, the bill would mean issuing a restrictive clearance to someone who might be otherwise issued a negative notice, allowing them to work within a specific community, and that does go against the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and also the Queensland Family and Child Commission report *Keeping Queensland's children more than safe*. However, as I said, we are committed to ensuring not only that our laws work to keep children safe but that we can support our First Nations community. We absolutely believe that more needs to be done to reduce barriers for First Nations people when dealing with government.

The committee made a total of seven recommendations highlighting this need for additional support for First Nations communities. These recommendations were informed by a wide-reaching, thorough inquiry with hearings held in Mount Isa, Yarrabah and Palm Island. Again, I want to thank all members of the committee for their work.

I also want to acknowledge everyone who made submissions and gave evidence at the hearings. These stories showed us the complex issues being experienced by First Nations people right across Queensland in dealing with the blue card system. The committee recommended trialling a program of

dedicated people embedded within Indigenous communities to assist with blue card applications and processes, working directly with local community justice groups. I am pleased to advise that we will be piloting the blue card liaison officer project. Importantly, this pilot will be co-designed in consultation with community to ensure First Nations peoples have a genuine voice in how services are delivered. We know that we get the best results when services are locally based and local community members are at the centre of design.

The committee also recommended the government issues clear guidance to large employers, including government departments and the construction industry, about their requirements under the working with children act. Whether a person is required to hold a blue card to perform their job will often depend on a range of factors including where the work is performed and the type and frequency of the work. Blue Card Services already works with employers to better understand their obligations but, again, clearly much more needs to be done.

Throughout this year government departments will work with Blue Card Services to audit their policies which deal with blue card requirements including procurement and grant funding agreement provisions. This will mean that Blue Card Services can deliver tailored mechanisms and clear guidance to effectively address overcompliance. Again, much more can be done to address that. Beyond that, the committee recommended the government considers amendments to better allow information to be shared between departments, streamlining blue card and kinship care approvals. We want to better understand the interactions between the kinship care system and the blue card system.

There are two pieces of work already underway to help build this understanding. First, we will work with relevant departments to undertake targeted case reviews of people who went through both kinship care and blue card assessments to identify key issues and themes. Secondly, the Queensland Aboriginal and Torres Strait Islander Child Protection Peak has been engaged to research and analyse the impact of the blue card system on kinship care approval processes. QATSICPP's work will be guided by consultation with urban, rural and remote First Nations communities.

Blue Card Services is also developing a suite of resources for kinship carers, including videos and easy language information for prospective carers. We have also committed to changing our legislation to allow genuine researchers to access data about the blue card system to support further analysis and research into the impacts.

Another of the committee's recommendations was around family related definitions in legislation and how they interact with First Nations cultural practices. It is vital that legislation is culturally relevant, and we will work towards harmonising the Child Protection Act and the working with children act in this regard.

The committee also identified that the government should accelerate delivery of a number of QFCC recommendations. The Palaszczuk government is committed to implementing the QFCC's report and the change that it calls for. We are prioritising reviewing the blue card decision-making framework so it is fit for purpose, considering options to provide greater cultural context to decision-making processes and reviewing how we communicate to make the process easier to understand and less legalistic.

The final recommendation of the committee is that the Queensland government reports back on its progress on the implementation of the committee's recommendations within 12 months, and the government response confirms our commitment to do this. Implementing these recommendations will build on reforms already implemented by the department since the launch of the Safe Children and Strong Communities Strategy and Action Plan in 2021. Blue Card Services is working to provide a more supportive system at each step of empowering First Nations people by embedding cultural capability in our system.

Blue Card Services has conducted extensive visits to regional and remote communities to help further understand the ongoing needs of our First Nations stakeholders. In February and March of last year Blue Card Services made a range of community visits. In the coming months Blue Card Services will visit communities including Bamaga, Cairns, Charleville, Cunnamulla, Charters Towers, Doomadgee, Ipswich, Kowanyama, Mount Isa, Palm Island, Pormpuraaw, Roma, St George, Townsville and Yarrabah.

Blue Card Services has increased the number of identified roles across its teams, provided cultural capability training for all its staff and targeted trauma informed training for staff whose role involves regular, direct contact with First Nations people but, as has been highlighted, more needs to be done. The challenges that First Nations people face when dealing with government are not new, but

they are not simple. They will require work to resolve and the changes outlined in the government response are a small part of that. We know we have to do better to address the manifest disadvantages being experienced by the First Nations community. My commitment to the committee members, the member for Traeger and to every member in this House is that the Queensland government is committed to doing exactly that.