




Speech By  
**Stephen Andrew**

**MEMBER FOR MIRANI**

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Record of Proceedings, 14 March 2023

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

 **Mr ANDREW** (Mirani—PHON) (6.13 pm): I rise to speak in support of the member for Traeger's private member's bill—the Working with Children (Indigenous Communities) Amendment Bill 2021. The bill creates a much needed framework for blue card assessments that will empower Indigenous communities to make decisions which best serve their communities' interests. The new framework would go a long way towards overcoming the significant limitations of the current system by enabling a local community justice group to make recommendations to the chief executive that a restricted working with children clearance be issued to an individual for work within that community, regardless of whether that individual's record contains certain past criminal offences.

The type of serious offences that could be considered under the new framework would be limited to Criminal Code sections 409, 419 and 427 offences and Drugs Misuse Act sections 5, 6, 8 and 9D offences. These offences relate to stealing, burglary and unlawful entry of a vehicle and drug related offences.

When making their recommendations, the community justice group must have regard to police information, the applicant's previous work with children, social standing and participation in the community area and whether or not making the recommendation would have any adverse impacts on the community's inhabitants. Any restricted working with children clearance issued under the proposed legislation could only be used in specific community areas.

The health, safety and wellbeing of all children is paramount and must continue to be the No. 1 priority of the community. However, the one-size-fits-all approach to the blue card system has had an enormously negative impact on Indigenous communities throughout Queensland where unemployment is chronically high. The current blue card system contains significant limitations in the way it applies to the unique circumstances of Indigenous communities, which has resulted in missed opportunities for social and economic development. In a number of cases, the local community, through community leaders, law enforcement and judicial representatives, have determined that the person poses no risk to children and their employment would have broader positive community impacts.

It is imperative that the legislative framework in Queensland recognises the different circumstances of remote Indigenous communities and supports the process for jobseekers in Indigenous communities while continuing to protect the interests of children. I would go so far as to say that the cultural areas that these people grow up in have cultural hunting grounds and cultural fishing grounds. They are born into the culture of those areas. It is very difficult for them to leave those areas, especially when they want to retain their culture and work within their cultural boundaries. This is a very important thing that we are not taking into consideration as much as we should be.

It is very difficult for these people to walk out of these communities because their family is there. Their whole life has been spent there and generations before them have lived there. We have to consider introducing something so that these people can live, work and prosper whilst retaining their cultural heritage in their cultural space. We do not seem to be looking at that. I know for a fact that this

is so important. We are all telling everybody what we need to do to support these people, but the biggest support for these people is to be amongst their own people. That is where this falls over. This severely impacts the employment opportunities for a number of individuals but it also impacts employers and their ability to conduct business in many of these areas because they are short staffed, they regularly recruit but they cannot enrich these cultural areas by employing the local people.

It is vital to remember that employment can and does have a positive effect on individuals. It can prevent criminal activity but can also be rehabilitative for those who have previously committed offences. Feedback from community leaders and law enforcement officers indicates that handing over more decision-making power to the communities themselves would assist greatly in resolving this problem.

The proposals in the bill were first made in 2018 following consultation in the gulf and cape communities. These consultations revealed how communities in those areas experienced enormous difficulty in getting and retaining suitable workers due to the extremely low numbers of blue card holders.

The member for Traeger has pushed for this three times over a period of years. Surely together we can come up with a way of amending this legislation to trial this. Today I spoke to Chris Anderson, a Gunggari man, who is heavily involved with the rehabilitation of children. He said, 'Stephen, some of these people cannot fill out blue card forms. How can we help them to do that?' The next thing he said was, 'How dare we ask these people to have a blue card to talk about their cultural heritage or what they did in old times when they are sitting around talking to children or in a work space or anywhere else.'

These things have to be considered. We all know that. We need to come up with a plan that is sincere and protects children but gives people the right to practice their cultural heritage, be in their cultural space, be in their cultural hunting and fishing grounds and lets them continue to work in the society that we created where we took away some of their cultural practices. Is that not a fair go for these people? Give them a fair go. The government should think about this. I am not saying this for the sake of it because I am on the crossbench and I am going to go against whatever the government says. I say this because everyone deserves a fair go. This is Queensland. We tell everybody every morning when we come in here that we respect the people who live in this country—their elders past, present and emerging. How about we show them that!