




Speech By
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MEMBER FOR COOK

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CHILD SAFE ORGANISATIONS BILL; WORKING WITH CHILDREN (RISK MANAGEMENT AND SCREENING) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LUI** (Cook—ALP) (12.50 pm): I rise to speak in the cognate debate of the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024 and the Child Safe Organisations Bill 2024. I will commence my contribution on the Child Safe Organisations Bill 2024. I was fortunate to be able to participate in the committee process of the examination of this important bill to strengthen measures to protect Queensland's children. I would like to acknowledge Minister Mullen; the Community Support and Services Committee chair and member for Hervey Bay, Adrian Tantari, and other members of the committee—the members for Burnett, Nicklin, Maiwar and Oodgeroo; our committee secretary, Lynda Pretty; and Hansard.

The Royal Commission into Institutional Responses to Child Sexual Abuse presented its final report on 15 December 2017, finding widespread and systemic failings of institutions to protect children and respond to child sexual abuse, demonstrating a need to strengthen measures to protect vulnerable children. 'Institution' was broadly defined to include any entity or organisation that provides, or has at any time provided, activities, facilities, programs or services of any kind that enable adults to have contact with children. The royal commission examined the factors that can influence the risk of harm to children in institutional settings as well as the factors that protect children and make institutions safer. The broad definition of 'institution' encompasses entities and people in whom we put our full faith and trust.

The royal commission identified 10 child safe standards that contribute most effectively to improving the safety of children in institutions and recommended that all institutions that engage in child related work meet these standards. The child safe standards will apply to a broad range of sectors working with children in organisational settings including schools, early childhood education and care, community services, disability services, hospitals and health services, sports and recreation, religious bodies, youth justice, out-of-home-care settings, government departments, transport and commercial services. When you think about the widespread and systemic failings and you consider the many entities that interact directly with children, it is quite obvious that fragmentation exists, playing a big part in the widespread system failures. There is a huge need to bring institutions together to take ownership of child protection as part of the collective and commit to protecting Queensland's children at a societal level. What this bill says is that child protection is our community's and society's responsibility and we are working towards minimising the risk of harm to our children together.

The 10 child safe standards are designed to be principle-based and outcome focused, developing child safe organisational cultures rather than setting prescriptive rules that must be followed or specific initiatives that must be implemented. Given the broad scope of organisations that interact with children, the child safe standards are intended to be applied in a flexible way, guided by each organisation's structure, size, level of risk and characteristics.

The proposed Child Safe Organisations Bill 2024 will establish mandatory child safe standards based on the National Principles for Child Safe Organisations and a nationally consistent RCS that requires heads of in-scope organisations to report and investigate allegations of reportable conduct to the independent oversight body. The purpose of the bill is to protect children from harm and promote their safety and wellbeing by ensuring organisations engaging with children focus on child safety, including preventing harm, and appropriately report and investigate allegations of child abuse.

The bill proposes that the national principles are adopted as Queensland's child safe standards to maintain consistency. Adopting the national principles will enforce strong measures to help promote organisational cultures that prioritise the safety and wellbeing of children. Elements of the child safe standards include, for example: embedding child safety in leadership, governance and culture; ensuring the participation of children and families; respecting equity and diversity; ensuring staff are suitable, trained and supported; developing child focused complaints processes; ensuring safe online and physical environments; and conducting ongoing reviews of implementation. Widespread cultural change is needed, and it is intended that the CSS will help to achieve that to ensure organisations are working together and committing to the safety and wellbeing of children and young people they interact with.

I will now turn my attention to the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill. The policy objectives of the working with children bill are to: implement, either in full or in part, 12 recommendations arising from the Queensland Family and Child Commission report *Keeping Queensland's children more than safe: review of the blue card system*; implement recommendations made by the former Legal Affairs and Safety Committee, the Women's Safety and Justice Taskforce and the Youth Justice Reform Select Committee highlighting the need to consider the decision-making framework; make a range of other amendments to simplify, streamline and improve the operation of the blue card system; implement the first stage of the government's response to the QFCC report *A thematic analysis of provisionally approved kinship carers who receive a subsequent blue card negative notice*—the QFCC kinship care report; and provide for the sharing of Childrens Court child protection records with other Australian courts and tribunals, in particular to facilitate information sharing under the National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection Systems.

I want to share some of my thoughts on the QFCC kinship care report. The QFCC kinship care report was released in October 2023. I note that 11 case studies were analysed where a kinship carer applicant was provisionally approved by the Department of Child Safety, Seniors and Disability Services but went on to receive a negative notice from the blue card chief executive, meaning that they could not be approved as a kinship carer.

The QFCC kinship care report made two recommendations. The first is to remove the requirement for Aboriginal and Torres Strait Islander kinship carers, as defined in the Child Protection Act 1999, to hold a blue card if caring for children in their family. The second is to retain the existing departmental assessment and approval process in relation to Aboriginal and Torres Strait Islander kinship carers, removing the provisional status period in the absence of the blue card condition. The government has supported the QFCC kinship care report recommendations in principle. The QFCC kinship care report found that blue card screening is not designed for kinship care and that its processes create additional barriers for Aboriginal and Torres Strait Islander kinship carers.

Aboriginal and Torres Strait Islander children are highly represented in the child protection system. While placing First Nations children with kinship carers has been the aspiration of many communities I represent to keep children connected to family, culture and country, it presented many barriers with blue card requirements. I welcome these new reforms because I know they will encourage more families to take up kinship care and keep First Nations children connected to kinship. It takes a village to raise a child, and the new reforms relating to kinship, for me, are about supporting the village to raise a child. I commend the bill to the House.