




Speech By
Peter Russo

MEMBER FOR TOOHEY

Record of Proceedings, 11 September 2024

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

 **Mr RUSSO** (Toohey—ALP) (2.48 pm): I rise to speak to the cognate bills being debated, the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill and the Child Safe Organisations Bill 2024. In its report No. 8 of the 57th Parliament, tabled in this Assembly on 2 August, the Education, Employment, Training and Skills Committee recommended to the Assembly that the Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024 be passed.

I also support the amendments that will be moved in consideration in detail by the Attorney-General, in accordance with recommendation 2, to remove the requirements for adult household members of kinship carers to hold a blue card. As stated in the explanatory notes, removing this requirement will avoid any unintended consequences of the broader reforms to establish a more nuanced scheme for the screening of kinship carers in a way that is culturally safe and responds to the unique needs of Aboriginal and Torres Strait Islander families caring for kin.

The Community Support and Services Committee in its report No. 47 of the 57th Parliament, tabled in this Assembly on 2 August, recommended to the Assembly that the Child Safe Organisations Bill 2024 be passed. I will focus on some of the areas dealing with kinship carers and the blue card. The Queensland Family and Child Commission kinship care report made two recommendations: 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 they are caring for children in their family; and 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 Queensland Family and Child Commission 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.

The Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill, in line with the recommendations of the Queensland Family and Child Commission kinship care report, proposes to: amend the working with children act so approved kinship carers are not considered to be in regulated employment; remove the requirement under the Child Protection Act for approved kinship carers to hold a blue card; and remove grounds for suspension and cancellation of kinship carer certificates which relate to Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill authorities. It is also important to note that the amendments to remove blue card requirements for kinship carers will have no financial impacts.

A number of changes are being made to the decision-making framework under the working with children act that may result in a rebalancing of the rights and liberties of individuals. These amendments include: establishing a new statutory threshold for blue card assessments which will require the chief

executive to be satisfied an applicant presents a risk to the safety of children which must be real and appreciable to refuse an application; introducing a complementary 'reasonable person' test which will require the chief executive, in determining whether an applicant poses a risk to the safety of children, to consider whether a reasonable person would allow their child to have direct contact with the applicant without supervision while engaged in child related work; establishing new, clear and consistent risk assessment criteria for undertaking blue card assessments where the person returns information of concern; and removing the eligibility declaration process and term of imprisonment qualifier for what constitutes a disqualifying offence. Persons who commit a disqualifying offence as juveniles and adults who commit unlawful offences where a prison order is not imposed will retain a pathway to apply for a blue card. I commend the bills to the House.