




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

Record of Proceedings, 11 September 2024

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

 **Mr NICHOLLS** (Clayfield—LNP) (12.23 pm): Before we get too indulgent with the Attorney-General's valedictory speech, when she talks about doing more there is one name I need to mention: Ashley Paul Griffith; 300 offences and 91 cases.

Mrs D'ATH: I rise to a point of order, Madam Deputy Speaker. This matter is still before the court. It has not been completed. This is sub judice and we should not be talking about this matter.

Madam DEPUTY SPEAKER (Ms Bush): Member, the Attorney-General's advice is that this is still before the court. I will remind you of that and of the sub judice rules before you continue your speech.

Mr NICHOLLS: Indeed, Madam Deputy Speaker. Yes, it is before the court. I acknowledge that. That matter is awaiting sentencing at the moment. I will not be commenting on the matter before the court. Madam Deputy Speaker, it is, in my submission, within the rules to mention that there is a matter that is currently before the courts. I have not commented on any aspect of it other than to say that there is a matter before the courts. I will move on. I accept the concern that has been raised.

Given the failings that have been identified in relation to the child protection system, with respect to working with children and with respect to making sure that our children are as safe as they can be, we cannot be satisfied with what this government has either done or failed to do over the last more than half a decade. Let us have a look at what it has failed to do.

There was the original report produced by the Queensland Family and Child Commission. I acknowledge the very good work Mr Twyford and his commission do. I remind people that it was the Labor Party that voted against the establishment of that commission in 2014. When it comes to the work that that commission does, the LNP is very supportive of it. We established that commission in 2014, against the wishes and votes of the Labor Party at the time.

The QFCC issued a report in 2017 which identified a number of matters that needed to be addressed following the investigation into the tragic death of Tiahleigh Palmer. There were 81 recommendations issued in that report in 2017. Almost nothing was done for a lengthy period of time. The QFCC did a review of the matters in 2021. It recognised and identified that the government had completed 16 of the 81 recommendations. That was 2017, 2018, 2019, 2020 and 2021. Four years after the report, the government had completed 16 of 81 recommendations.

On 8 August 2023, 28 recommendations from the report had been implemented. They had gone from 16 to 28. A further 49 recommendations remained in progress. Then, because I asked questions about this in estimates last year, we found out that virtually nothing had been done. Then we had the horrific matter that has already been mentioned and the government sprang into action.

Given those failings, the LNP has committed to a major inquiry. If elected, we will ask Mr Twyford, as chair of the Child Death Review Board, to conduct a systems inquiry to investigate child protection system failures. He will be able to exercise the powers of the Child Death Review Board under section 29. He will make recommendations about reforms to strengthen the system. He will be able to make a public report upon completion.

That is a plan to protect our most vulnerable—that is, children. That is a plan that will restore confidence in a system that parents have lost confidence in. When they drop their child off at a childcare centre, they want to know that their child will be safe. When they drop their child off at school, they want to know that their child will come home and will not have been attacked, molested or otherwise interfered with. The only way to do that is to make sure that the system is working as it should.

When the Attorney stands up and does her eulogy about how proud she is about those sorts of things, I accept that things have been done, and I accept and read with care the reports that the QFCC and others have put forward. That does not mean that we cannot hold the candle and the fire to the feet of this government for their failures.

One of their big failures that I want to mention, which has been belatedly addressed at the end of the 57th Parliament, is in relation to the reportable conduct system. It was a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse. It was also a report that was done in 2017. It was a report that then premier Anastacia Palaszczuk—part of the Palaszczuk-Miles Labor government for the last nine years—responded to.

Madam DEPUTY SPEAKER (Ms Bush): Member, I think the Speaker has already issued direction around reference to former and current governments.

Mr NICHOLLS: Indeed. The then premier was part of the Labor government for the last nine years. This is what the then premier of the now and still existing Labor government said—

The establishment of a reportable conduct scheme is a priority for Queensland. Institutions need to be accountable for the way they protect children and investigate allegations of harm ...

That response was issued on 15 June 2018. Here we are in 2024, five years—half a decade—later, and it is finally being done. If that is protecting children, if that is acting with alacrity, if that is acting, as the then premier said, with 'priority', then God help Queensland if this government gets re-elected on 26 October. The only way that you will actually get change and have a team that has a plan for change to protect our children is to vote for change on 26 October and show Labor the door in 2024.

Mr McDonald: Stop the chaos and crisis.

Mr NICHOLLS: Exactly. I take the interjection. There is chaos and crisis across there, and we are seeing that in bills that were introduced in the budget sitting week being passed on the second last day of the 57th Parliament following reports that were issued over five years ago. We have heard nothing from the voices over there in that intervening period. Not one of them has stood up and said anything about it. It is a shameful legacy. It is shameful that that has been allowed to occur.

There is much in the working with children bill that is worthy of support. It is just that it should have been done sooner. The changes that have been made to the way the system works and the manner of assessment which have been outlined by the Attorney in her contribution are welcomed. The introduction of the reasonable person test—I know it is a different reasonable person test from the reasonable person test we were discussing yesterday—is welcome because there are delays in the system. There are terrible delays in the system. One only needs to look at the LawRight submission to the committee of inquiry which indicates there are delays not only with the processing times for people who have perhaps one notifiable offence from a long time ago but also in the appeal process to QCAT—another area where this Attorney has allowed delay to be exacerbated such that a QCAT appeal in relation to a blue card decision can take up to 16 months to get determination, causing significant harm to people.

Of course, we very much welcome the changes that have been recommended and have been reviewed by the committee in relation to the kinship carer system. We support those changes, as our shadow minister has indicated in that respect. We will consider and look at the amendments that the Attorney has just circulated in relation to that and in relation to other adult members of the household. In doing so, we are cognisant again of what the Attorney-General said—that is, often offences occur from those places where you should least expect them to occur, and that is with other family members.

In going down this path—and we acknowledge the recommendation of the committee to do so and we acknowledge the testimony of Commissioner Lewis to the committee in respect of this—we need to ensure there are firm and robust systems in place in relation to placement decisions that are

made regarding kinship care and children being placed in kinship care situations. Whilst the ideal would be that no mistakes are ever made, we understand that these things do occur. A system is only a system, but the system needs to be as good as it can be to do what it needs to do to protect the most vulnerable. Children in those circumstances are often the most vulnerable.

Let's not wax lyrical about what this Labor government has done. It has done some things but it has missed a great number of opportunities and who knows how many untold instances where children have not been protected when they ought to have been protected because of the lack of a reportable conduct scheme, because of the failure to implement the recommendations made in 2017. I say again: if you want a team that has a plan for beyond 2024 then you need to vote to change the government on 26 October.