

~~supporting refugees into work placements. The aim is to find 500 work placements for 500 refugees. The work placements are for 12 weeks and give refugees their first experience in an Australian workplace. This is a huge help to successful settlement for the individuals and their families.~~

~~My department, the Department of Communities, Child Safety and Disability Services, has agreed to take two placements and to promote the program across government. The Multicultural Queensland Charter, which forms an integral part of this bill, will promote principles such as fairness, inclusion and harmony. The Multicultural Queensland Advisory Council, another component of the bill, will ensure that the voices of our multicultural and multifaith communities from across the state are heard. Under this bill, government departments will provide leadership in translating the charter principles into practice through a multicultural policy and action plan.~~

~~In the relatively short time since becoming Minister for Multicultural Affairs, I have had the privilege to attend a number of significant cultural events and celebrations including this week's Chinese New Year celebrations which will be held here in Parliament House. I look forward to attending that. I was also very pleased to attend the official opening of the Punjabi Welfare Association of Australia in Mount Gravatt in January. I look forward to engaging with Queensland's multicultural community in the coming months. The first event I attended after being elected as the member for Brisbane Central in 2007 and I remember it fondly was the multicultural festival in Roma Street. We were exhausted after a long campaign, and I attended that with the current Premier and then minister for multicultural affairs, Annastacia Palaszczuk.~~


~~Debate, on motion of Ms Grace, adjourned.~~

~~Sitting suspended from 1.00 pm to 2.30 pm.~~

022

~~SPEAKER'S STATEMENT~~


~~Sub Judice~~

~~ **Mr SPEAKER:** Honourable members, I refer to the debate on the Tackling Alcohol-Fuelled Violence Legislation Amendment Bill and the Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill, which is likely to occur this week. I remind members of the sub judice rule in standing order 233. The sub judice rule in general requires members to exercise care to avoid saying inside the House anything that would be regarded as contempt of court outside the House and could jeopardise court proceedings. Members should not refer in the House to matters awaiting or under adjudication in all courts exercising criminal jurisdiction from the moment a charge is made against the relevant person.~~

~~Given there are matters before the court relating to recent incidents of alleged alcohol related violence, I remind members of the importance of the sub judice rule in the context of the debate on the bill. Members can refer to the general issue of alcohol related violence. However, members should not refer to specific matters where these matters are currently before the court. If members are in doubt, I urge you to seek advice from the Clerk or the Deputy Clerk before you speak on the debate.~~

DIRECTOR OF CHILD PROTECTION LITIGATION BILL

Introduction

~~ **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (2.31 pm): <I present a bill for an act to establish the >Director of Child Protection Litigation and for related purposes, and to make consequential amendments to this act, the Child Protection Act 1999, the Child Protection (International Measures) Act 2003, the Childrens Court Act 1992, the Family and Child Commission Act 2014 and the Public Service Act 2008. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

~~*Tabled paper:* Director of Child Protection Litigation Bill 2016.~~

~~*Tabled paper:* Director of Child Protection Litigation Bill 2016, explanatory notes.~~

~~I am pleased to introduce the Director of Child Protection Litigation Bill 2016. Together with the Child Protection Reform Amendment Bill 2016, shortly to be introduced by the Hon. Shannon Fentiman MP, Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence, the bill constitutes the second stage of legislative amendments as part of the government's child and family reform agenda. The child and family reform~~

program of this government implements the recommendations of the July 2013 report by the Queensland Child Protection Commission of Inquiry, *Taking responsibility: a road map for Queensland child protection*. This government is committed to implementing the recommendations of the commission, which are aimed at addressing the risk of systemic failure, and building a sustainable and effective child protection system over the next decade.

This bill and the Child Protection Reform Amendment Bill 2016 implement 11 specific recommendations of the commission and an additional recommendation made by the Court Case Management Committee to introduce new processes for managing applications for child protection orders in the Children's Court. The Court Case Management Committee, chaired by the president of the Children's Court, was established on recommendation by the commission to decide on a court case management framework for child protection matters in the Children's Court. The judicially led court case management framework, envisaged by the commission, will be supported by the bill, the remaking of the Children's Court Rules and amendments to the Child Protection Act 1999. The bill implements commission recommendation 13.17 for the establishment of an independent statutory agency, the Director of Child Protection, within the Justice portfolio to make decisions as to which matters will be the subject of a child protection application and what type of child protection order will be sought, as well as litigate the applications. Consistent with this recommendation, the bill provides for a new independent statutory officer, the Director of Child Protection Litigation, who will report to the Attorney-General and Minister for Justice.

The bill also provides for the establishment of the Office of the Director of Child Protection Litigation, with staff appointed under the Public Service Act 2008, to help the director perform the director's functions. The bill provides that the director is appointed by the Governor in Council on recommendation of the minister for a term of up to five years but may be reappointed for further terms. To be considered suitable for appointment, the director must be a lawyer who has been admitted to practice for at least 10 years and has demonstrated qualities of leadership, management and innovation in a senior government or private sector role. The main function of the director is to decide which matters will be the subject of a child protection order application, the type of child protection order to be sought and to litigate the child protection order application. The bill therefore, provides that when the chief executive of the Department of Communities, Child Safety and Disability Services is satisfied that a child is in need of protection and a child protection order is the most desirable and appropriate order to protect the child, it must refer the matter to the director. The director will then be solely responsible for deciding whether or not an application for a child protection order should be made and the type of order that should be sought. If an application for a child protection order is made, the director will be responsible for conducting the legal proceeding in the Children's Court.

The bill sets out the principles to be followed when the director and staff administer their functions and powers. The main principle is that the safety, wellbeing and best interests of the child are paramount. This paramount principle is consistent with the Child Protection Act 1999 and the requirements of the United Nations Convention on the Rights of the Child.

Other principles under the bill require the director to work collaboratively with Child Safety; only take action that is warranted in the circumstances; and consider whether there is sufficient, relevant and appropriate evidence before applying for a child protection order. The bill also requires decisions by the director to be made in a timely manner to ensure risks to the child are minimised. The director will need to apply the principle under the Child Protection Act 1999, that a delay in making a decision should be avoided, unless it is appropriate for the child.

To facilitate collaboration and cooperation between the director and Child Safety, the bill provides that, when making decisions, the director must consult with Child Safety and, if the director disagrees with the recommendations made by Child Safety, the director must provide written reasons for that decision. Under the bill, the director will also be able to provide legal advice to and represent Child Safety in other child and family related matters, such as family law and adoption matters, if instructed to do so by Child Safety. Child Safety may engage the director to undertake this work on a fee-for-service basis similar to the current arrangements that Child Safety has with Crown Law for these matters.

The director will have the power to issue guidelines that will apply to staff, lawyers engaged by the director, the chief executive of Child Safety and relevant staff within Child Safety. The guidelines will provide guidance and information about matters including: the roles and responsibilities of Child Safety and the Office of the Director during court proceedings; and a process for reviewing decisions made by the director about whether or not to apply for a child protection order.

As Child Safety will no longer be a party to proceedings for child protection orders, the bill makes consequential amendments to the Child Protection Act 1999 to ensure that Child Safety staff are still able to participate in child protection order proceedings as necessary. The bill will also expand the scope of the Child Death and Serious Injury Review Panel established under the Child Protection Act 1999 to ensure the panel is able to review the involvement of the director in relation to a child's death or significant injury in stated circumstances.

To ensure accountability and transparency, the director will be required to provide an annual report about the exercise of the director's functions. The bill also requires a review of the act and the operations of the Office of the Director be undertaken five years after commencement of the act. This will ensure that a formal evaluation of the model is undertaken to investigate whether it is meeting its objectives and identify any areas for improvement.

The establishment of the director and the other court reforms in the Child Protection Reform Amendment Bill 2016 and Children's Court Rules will improve outcomes for children and their families. The legislation will provide greater accountability and oversight, minimise delay in court proceedings, promote efficiency and ensure the voices of children and families are heard in decisions that impact them.

These important and necessary reforms will ensure that applications for child protection orders filed in the Children's Court are supported by good quality evidence and that evidence based decision-making forms part of the litigation process. I commend the bill to the House.

023

First Reading

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (2.38 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Legal Affairs and Community Safety Committee

Madam DEPUTY SPEAKER (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

~~CHILD PROTECTION REFORM AMENDMENT BILL 2016~~

~~Introduction~~

~~**Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (2.38 pm): Madam Deputy Speaker, I present a bill for an act to amend the Child Protection Act 1999 for particular purposes. I table the bill and explanatory notes. I nominate the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to consider the bill.~~

~~Tabled paper: Child Protection Reform Amendment Bill 2016.~~

~~Tabled paper: Child Protection Reform Amendment Bill 2016, explanatory notes.~~

~~The Child Protection Reform Amendment Bill 2016 proposes to amend the Child Protection Act 1999 to strengthen court processes in child protection proceedings as recommended by the Queensland Child Protection Commission of Inquiry. The Palaszczuk government is progressing wide-ranging reforms to Queensland's child protection and family support system. This bill, along with the Director of Child Protection Litigation Bill 2016, aims to reform the way that child protection proceedings are conducted in the Children's Court. These court reforms will ensure that the voices of children and their families are heard on decisions that affect them, minimise delay and improve the quality of information and evidence before the court.~~

~~The Queensland government's child and family reforms are aimed at providing meaningful support to families when they need it to help them in their important role of keeping their children safe. To achieve this we are rolling out new services and new ways of working with families. We are working with families and communities to address issues of need or dysfunction so that these issues do not~~