Cognate

Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024  
and   
Child Safe Organisations Bill 2024

Sandy Bolton, MP for Noosa

Thank you, Mr Speaker.

These two bills introduce laws to to protect children in Queensland. The first, the Working with Children Bill, updates the Blue Card system for working with children.

It addresses a long standing issue of when a child is planned for placement in care with a kinship family, where everyone in that family over eighteen requires a Blue Card. This whether it is an adult with a criminal conviction from 20 years ago or a 19-year-old with an unrelated drug conviction. Many indigenous applicants have been unable to secure a Blue Card for these reasons, with kinship care arrangements made not possible , devastating families and these children.

This issue was raised in the 2017 Queensland Family and Children Commission Report on the Blue Card System and then my Legal Affairs and Community Safety Committee in 2021 when we undertook the inquiry into a Bill introduced by the Member for Traeger. This was his third attempt, demonstrating again the flaws in our systems including time allocated for Private Members Bills.

During the 2021 inquiry we visited remote communities to hear first-hand the failures in having a one-size-fits-all approach to Blue Cards and the impact on indigenous communities including kinship care.

The recommendation of the committee at that time were to continue to work on better administration of the Blue Card system including legislative amendments for better information sharing between Child Safety and the Blue Card Unit.

In 2023 the QFCC Kinship Care Report recommended removing the Blue Card requirement for kinship care, and here we are, seven years after the problem was identified.

A key problem with the Bill is that it only removes Blue Card requirements to kinship carers and not other family members. As the Queensland Human Rights Commission submitted, a Blue Card alone is not a guarantee of safety, screening under the child protection framework is more appropriate.

The Department acknowledge these concerns, and ongoing work will consider these, however given the number of years that this devastating issue for families has been raised, it should have been resolved.

May this come to fruition, as well the other impacts from Blue Cards impacting these communities as recommended from the various inquiries be addressed as a matter of urgency. It is not acceptable that some 7 years on from when this was first raised, it has not been remedied.

The second bill, the Child Safe Organisations Bill, proposes to promote the welfare and wellbeing of Queensland children by bringing in legal standards for organisations that work with children.

It does so by mandating ten Child Safe Standards (CSS), and a Universal Principle for cultural safety for Aboriginal and Torres Strat Islander children, as well establishing a Reportable Conduct Scheme (RCS) overseen by the Queensland Family and Child Commission (QFCC).

These new standards have been a long time coming, recommended by the QFCC in a report in 2017 and again in 2023, and by the Royal Commission into Institutional Responses to Child Sexual Abuse. As well, the subject of discussion during the 2023 Legal Affairs and Safety Committee estimates hearing, given the recent case of a Queensland child care worker being charged with abusing 91 children.

There was general support for these laws from stakeholders such as the Queensland Council of Social Services (QCOSS), the Queensland Mental Health Commission, Queensland Foster and Kinship Care and the Australian Christian Lobby amongst others.

One of the significant issues raised during the Inquiry in the Bill is the implementation of these new laws.

QCOSS shared the need for additional financial support to implement these standards and assistance with capacity building and other supports.

As well need for comprehensive guidance materials, templates and scenario guidance, with Queensland Indigenous Family Violence Legal Service identifying the guidelines under clause 108 of the Bill as critical.

The passage of laws such as these is not the end of the process, it is just the beginning and all of our private, government and not-for-profit organisations need support to implement new rules.

As submitted by Girl Guides Queensland, volunteering is down more than 10 percent since 2020 – new regulatory burdens are draining and the easier we make them, the better for our volunteers.

The Department identified the intention that the QFCC will work with the sector on guidance and resources, with the budget funding $36M over four years from 2024-25 for the QFCC to operate as the oversight body.

May this ensure child safe organisations are fully supported for when these new laws into effect.

I would like to thank the work of the two Committees and their secretariat’s in reviewing these bills and all who provided feedback during the inquiries.