

Commissioner's Report



BARRY SALMON

A/Commissioner for Children and Young People

The 2003-04 financial year was a time of major transformation for Queensland's child protection system – a system which has been the subject of intense scrutiny over many years.

The year has seen greater powers being granted to the Commission for Children and Young People through changes to the *Commission for Children and Young People Act 2000*.

The enhancements followed the Government's acceptance of the recommendations of an external audit of the former Department of Families foster care records and the Crime and Misconduct Commission's (CMC) *Inquiry into Abuse of Children in Foster Care in Queensland*, which released its findings in January 2004.

Advocacy for greater accountability

The Commission's submission to the CMC inquiry recommended a range of extended powers, including the need for an overarching monitoring function enabling checks of departmental case files and case plans, a role reviewing child deaths and the extension of the Community Visitor program to include children in foster care.

The need for an integrated case management system and a more effective electronic recording system was identified to record all allegations of harm to children in care, as required under the *Child Protection Regulation 2000*.

The Commission also made several recommendations not reflected in the CMC's final report which we will continue to advocate for in protecting children's wellbeing, including:

- the need to provide a child with a permanent place to live, if not with their family, then some other permanent option
- the recognition that while children's culture and ethnicity are very important in making placement decisions, the wellbeing of the child must take priority
- the need for the Department of Child Safety to address permanency issues affecting children who have been in care of the Department for extended periods, and
- the recognition that foster carers who have cared for a child for an extended period should be able to apply for guardianship, and that the child's wishes should be taken into account where possible.

Input into a Blueprint for implementing the recommendations of the CMC

Twelve project teams worked with consultant, Peter Forster, to develop a blueprint to implement the CMC Inquiry's recommendations for change in the child protection system.

The Commission led project team 11, which progressed the recommendations regarding better internal and external accountability mechanisms for the Department of Child Safety and the Commission.

The recommendations in relation to the Commission included the creation of a new Child Guardian role, the expansion of the complaints and Community Visitor functions, the establishment of a systemic monitoring and audit function and the creation of a Child Death Case Review Committee.

Review of the blue card

During the 2003-04 financial year, the review of Part 6 of the *Commission for Children and Young People Act 2000* was finalised, as required under the legislation. A team of officers from the Department of the Premier and Cabinet reviewed the Act with assistance from Commission staff.

The outcome of the review, released in April 2004, included the expansion of blue card categories, implementing the recommendations of the Ministerial Taskforce on Sex Abuse in Schools and a range of other enhancements to strengthen the blue card system. These enhancements are described more fully in the body of this report.

Review of child labour in Queensland

During the financial year, the Commission initiated a review of child labour in Queensland. The aim is to ensure that children and young people under 18 receive the best possible protections in paid and unpaid employment. The Commission recognises the rights of young people to work, and the benefits of safe work. It also recognises the importance of protecting young workers from abuse and exploitation, and protecting their right to an education.

In creating a discussion paper on the issue of child labour in Queensland, the Commission conducted targeted consultations, an extensive literature review and research projects including student surveys and an analysis of young workers' complaints. The *Queensland Review of Child Labour: Discussion Paper* will be released for public consultation in early 2004-05.

Looking forward

As the Commission looks ahead to another year, it will continue to evolve and grow to support the changes occurring in the state's child protection system.

Next financial year, will see several significant changes – including a new name, new functions and new powers. From 1 August, the Commission will become the Commission for Children and Young People and Child Guardian.

The addition of a new systemic monitoring and audit function and a new child death review responsibility will further strengthen the Commission's ability to ensure Queensland's most vulnerable children are looked after. In addition, the Commission's Complaints Unit will be expanded, and visits by Community Visitors will also be extended to include visits to children in foster care.

I am confident these new initiatives will ensure greater transparency and accountability for Queensland's child protection system.

With this goal in mind, I am committed to working with all levels of government and the community to promote and protect the rights of children and young people, particularly those most vulnerable.

But to ensure child safety, everyone in the community must act to ensure there is no recurrence of the issues which sparked the CMC Inquiry and the foster carers' audit in the first place.

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Communication Objectives

This report provides all Queenslanders, the Premier, Members of Parliament and key stakeholders with a comprehensive account of the Commission's key functions, priorities and achievements in the 2003-04 financial year.

It allows those interested in the work of the Commission the opportunity to assess the efficiency and effectiveness of its work over this time, and ensures the Commission's business is conducted in an open and accountable way.

It covers the Commission's key outcomes, performance highlights and how it is working towards achieving its targets in the future. It also gives readers the opportunity to see how good governance and good administration have enabled the Commission to do its job effectively and reports against each key operational area, which are:

- communications
- community visitors
- complaints and investigations
- corporate services
- employment screening
- policy, and
- research.

Further information on the Commission can be found in the Commission's Strategic Plan 2001 – 2005, the 2003-04 Ministerial Portfolio Statements and on the Commission's website at www.ccypcg.qld.gov.au

Readers are welcome to provide feedback on this report through the Commission's website (as above).

Vision

To promote and protect the rights, interests and wellbeing of all Queensland's children and young people, now and for the future.

Principles

The Commission's guiding principles are:

- every child and young person is a valued member of society
- in decisions involving children or young people, their best interests are paramount, and their views and wishes should be taken into account with regard to their age and maturity
- children and young people are entitled to:
 - have their dignity and privacy respected
 - be cared for in ways that protect them from harm and promote their wellbeing
 - express concerns and grievances and have them dealt with in a fair, timely way that promotes their participation
 - receive information and help to exercise their entitlements
 - access services necessary to meet their needs
- the family has primary responsibility for a child's upbringing and development and should be supported in that role.