



established



HISTORY

Our history

The Queensland Children's Commission was first established in 1996. In February 2001, it became the Commission for Children and Young People. In August 2004, it was renamed the Commission for Children and Young People and Child Guardian in recognition of its new Child Guardian function.

The organisation originally operated under the *Children's Commissioner and Children's Services Appeals Tribunal Act 1996* and the Commissioner reported to the Minister for Families, Youth and Community Care. In August 2000, administrative responsibility for the Commission was transferred to the Department of the Premier and Cabinet.

When the *Commission for Children and Young People Act 2000* was introduced in February 2001, it established the Commission as the most empowered independent statutory authority for children and young people in Australia, with enhanced scope, functions and powers.

The Act provided the Commission with both ombudsman and advocacy functions and:

- embraced the principles of the United Nations Convention on the Rights of the Child, and
- positioned the Commission as a lead agency in the area of promoting and protecting social investment in children and young people in Queensland.

In late 2003, an independent audit of abuse of children in foster care was overseen by external consultant, Gwenn Murray, with the Commission's Executive Director appointed as a member of the audit team. The review's report, *A final report on phase one of the audit of foster carers subject to child protection notifications*, prompted a Crime and Misconduct Commission (CMC) Inquiry. The outcome of the review and the CMC's Inquiry: *Protecting children: an inquiry into abuse of children in foster care*, identified systemic failures in the child protection system and led to the Government endorsing a blueprint for reform.

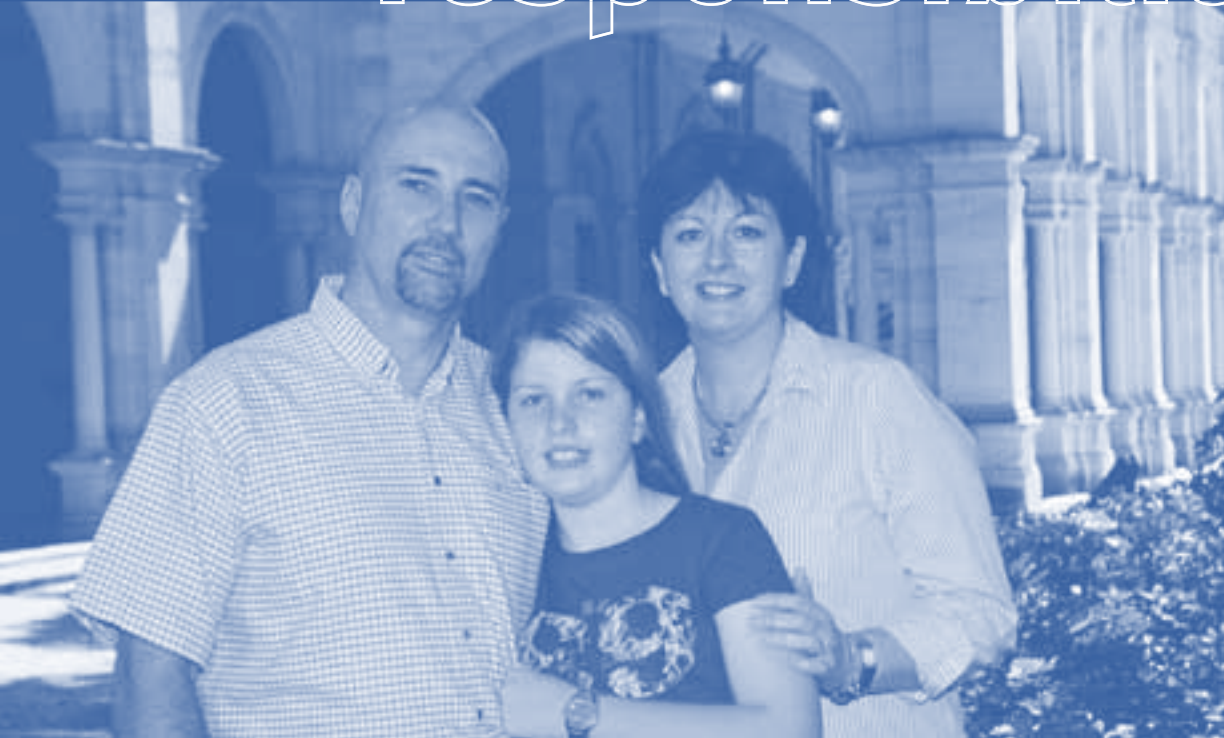
The implementation of the Government's blueprint includes the creation of the Child Guardian function introduced with the *Child Safety Legislation Amendment Bill 2004* on 24 June 2004, and the new *Commission for*

Children and Young People and Child Guardian Act 2000, which commenced on 1 August 2004.

A subsequent review of Part 6 of the Commission's Act relating to employment screening resulted in further changes to the legislation on 17 January 2005. These changes provided the Commissioner with greater powers to screen blue card applicants.



responsibilities



ROLE

Our role, new powers and responsibilities

The Commission's responsibilities at 30 June 2005 included:

- monitoring and reviewing laws, policies and practices impacting on services provided to children and young people
- administering a statewide Community Visitor Program for children and young people in alternative care, including foster care
- receiving and investigating complaints about services to children and young people known to the Department of Child Safety
- maintaining a Child Death Register, administering the Child Death Case Review Committee and conducting research into child deaths
- employment screening of certain types of child-related employment
- educating the community to comply with the Commission's Act
- monitoring and reviewing laws policies and practices that impact on the safety and wellbeing of vulnerable children and young people at risk
- conducting research into issues impacting on the safety and wellbeing of children and young people, and
- promoting laws, policies and practices that uphold the rights, interests and wellbeing of children and young people, particularly those at risk.

Child Guardian

On 1 August 2004, the key to the Commission's new responsibilities was introduced - the new Child Guardian role. The functions of the role have been administratively delegated to the Assistant Commissioner who reports to the Commissioner.

The new Child Guardian mandate enables the Commission to oversee, monitor and report on the effectiveness of the child safety system in Queensland. It encompasses monitoring, audit, investigation and review functions in relation to children and young people who come in contact with the child safety system. These responsibilities focus on the statutory responsibilities of the Department of Child Safety and take into account services provided by nine other government agencies which deal with children in the child safety system. The extended responsibilities include:

- an expanded complaints role – from 1 August 2004 the Commission has been able to deal with complaints relating to all children within the jurisdiction of the Department of Child Safety
- an expanded Community Visitor Program – from September 2004, Community Visitors began regular visits to all children and young people in alternative care in Queensland, including those in foster care
- increased power from 1 September 2004 to investigate, monitor and review the services provided to children in the child safety system by government and certain non-government agencies
- a child death review role to support the work of the Child Death Case Review Committee (CDCRC) to assess all internal and external departmental reviews of the deaths of children known to the Department of Child Safety in the previous three years
- establishing and maintaining a register of all child deaths in Queensland, and
- conducting and publishing research on child deaths to eliminate or minimise the risks associated with preventable deaths.



WELLBEING

Employment screening – the blue card

Review of Part 6 – new powers/responsibilities

In 2004–05, the Commission provided input into the legislative amendments to the *Commission for Children and Young People Act 2000* arising from the Review of Part 6 – the employment screening provisions.

The legislative amendments commenced on 17 January 2005, expanding the categories of regulated employment and businesses to be screened and including a number of reforms which strengthened and enhanced the operation of the blue card system.

These changes included the addition of new categories of employment to be screened, i.e.:

- child accommodation services including homestays
- religious representatives
- sport and active recreation
- Emergency Services cadet programs, and
- school crossing supervisors

The strengthened powers also enable the Commissioner to:

- consider any disciplinary information held by certain professional organisations which may be relevant a blue card applicant, including information held about:
 - teachers
 - child care service providers
 - foster carers
 - nurses, midwives and certain health professionals
- consider police information about allegations of serious child sex-related offences, even if no charges were laid because the child was unwilling or unable to proceed
- require all volunteers to hold a blue card before they start volunteering in any area of regulated employment, regardless of how often they come into contact with children and young people
- notify employers that an employee's blue card status is being reassessed if there is a change in their criminal history which may be relevant to their child-related employment
- require blue card applicants and card holders to notify the Commission within 14 days of any changes to their personal information
- suspend a person's blue card if they have been charged with an excluding offence (since this amendment to the Act to 30 June 2005, 37 people have had their blue cards suspended and are prohibited from working with children and young people until they have been reassessed)



- require a person who has had their blue card suspended to return it to the Commission within seven days, and
- exclude applicants from holding a blue card where they have been convicted of serious child-related sexual offences and certain child pornography offences where a term of imprisonment has been ordered (17 people had been issued with a negative notice as a result of convictions for excluding offences where imprisonment has been imposed) - those excluded from holding a blue card have their right of appeal removed.

Other changes include:

- revision of the serious offence list to ensure only appropriate offences relevant to the issue of child protection were designated as serious offences
- retrospective application of employment screening provisions to certain categories including religious representatives, non-teaching staff, school crossing supervisors and Emergency Services cadet supervisors, and
- a requirement for businesses and employers screened under the Act to develop and implement a written child protection risk management strategy – the Commission has developed training to help employers and businesses meet this requirement.

These reforms were accompanied by the development of child protection risk management materials and an education and awareness strategy by the Commission. This included the direct mail-outs of education kits, website information, presentations to affected organisations and information to the media.

RIGHTS

PROTECT

BLUE CARD

Strategic objectives

The Commission's *Strategic Plan 2005 – 2009* identifies the following strategic objectives:

- effective child safety and juvenile justice systems in which the needs of each child and young person are appropriately assessed and an effective services strategy implemented
- a safe environment for children and young people where risks are identified and managed, including appropriate employment screening, and
- prevention and targeted early intervention strategies for vulnerable children and young people who are at risk of entering the child safety or juvenile justice systems.

Highlights – year at a glance

Activity	Strategic objective	Date
Achievements		
Established new Child Guardian function, including monitoring, investigations and child death review	an effective child safety and juvenile justice system	1 Aug 2004
Visits to over 3,400 children in foster care after expansion of the Community Visitor Program	an effective child safety and juvenile justice system	2004-05
A 41% increase in complaints cases opened to 1,576 Complaints performance targets exceeded, i.e.: <ul style="list-style-type: none"> • 97% of all cases followed up within 28 days of receipt • 91% of cases assessed within 28 days of receipt 	an effective child safety and juvenile justice system	2004-05
400,000 th Working with Children Check finalised	a safe environment for children and young people where risks are identified and managed	May 2005
<ul style="list-style-type: none"> • 597 media stories printed or aired promoting issues around the safety and wellbeing of children and young people, up 88% from 317 media contacts in 2003-04 • 85 publications, displays pieces of merchandise or signage produced, up 93% from 44 in 2003-04 • a 535% increase in hits to the Commission's website since 2003-04 	prevention and targeted early intervention strategies for vulnerable children and young people	2004-05
Events		
Co-chaired the Organising Committee of the 15 th Congress of the International Society for the Prevention of Child Abuse and Neglect held in Brisbane in Sept 2004; co-chaired and organised the Congress' youth participation program; presented papers; supported young Indigenous presenters	prevention and targeted early intervention strategies	Sept 2004

Vision and Voice Conference – hosted joint Commission/ QUT Research Forum to promote young people as researchers and allow those participating in research projects to share findings and gain recognition	an effective child safety and juvenile justice system	Oct 2004
Children's Week – member of the Organising Committee and provided input on planning for activities	prevention and targeted early intervention strategies	Oct 2004
Child Protection Week – member of the Organising Committee and provided displays at the Child Protection Awards and the Child Protection Dinner	prevention and targeted early intervention strategies	Sept 2004
Display at RNA Show to raise awareness of child-safe environments	prevention and targeted early intervention strategies	Aug 2004
NAIDOC Week – provided a display and information targeting Indigenous children, young people and their parents	prevention and targeted early intervention strategies	Jul 2004
Multicultural Festival – provided a display and translated information telling different multicultural groups about Commission services	prevention and targeted early intervention strategies	Jun 2005

Resources

Development and launch of child protection risk management workshop training materials	a safe environment for children and young people	Jun 2005
Advocacy Training Workshop	a safe environment for children and young people	ongoing
<i>Working with Children Kit</i> and training	a safe environment for children and young people	2004-05

Sponsorship and grants

\$5,000 sponsorship to two young people and a Community Visitor to attend the 15 th Congress of the International Society for the Prevention of Child Abuse and Neglect	prevention and targeted early intervention strategies	Sept 2004
\$2,000 sponsorship of the 2004 Queensland Media Awards category for the 'best coverage of an issue which impacts on children and young people'	prevention and targeted early intervention strategies	Oct 2004
\$10,000 cash and \$10,000 in-kind support over two years for a QUT Australian Research Council research proposal to analyse data from the Longitudinal Study of Australian Children (LSAC) - <i>Growing Up in Australia</i> – on how parents' work conditions relate to children's wellbeing	prevention and targeted early intervention strategies	2004-05
\$6,250 for a joint research project with the New South Wales' Commission for Children and Young People and the National Investment for the Early Years (NIFTeY), for Charles Sturt University to investigate how to provide more integrated, affordable and accessible quality non-parental care	prevention and targeted early intervention strategies	2004-05

Consultation and community engagement

Community Visitor Advisory Committee met throughout the year	an effective child safety and juvenile justice system	bi-monthly
Commissioner met with key child protection stakeholders Peakcare, CREATE, YANQ, QAIHC on issues affecting the safety and wellbeing of children and young people	an effective child safety and juvenile justice system, and prevention and targeted early intervention strategies	quarterly

Commissioner attended Child Safety Implementation and Coordination Committee to review child safety reforms	an effective child safety and juvenile justice system and prevention and targeted early intervention strategies	bi-monthly
Assistant Commissioner attended Child Safety Directors' Network and Statewide Partnerships Group	an effective child safety and juvenile justice system	monthly
Commissioner met regional child protection departmental service providers in Cairns, Toowoomba, Gold Coast, Townsville and Mt Isa	an effective child safety and juvenile justice system	Apr, May, Jun 2005
Commissioner met with children, young people and staff at Brisbane and Cleveland Youth Detention Centres	an effective child safety and juvenile justice system	Feb and May 2005
Commissioner met with key paediatric stakeholders to discuss existing programs and initiatives which aim to reduce child deaths in Queensland	a safe environment for children and young people	Mar 2005
Chaired the Child Death Case Review Committee responsible for reviewing the deaths of all children known to the Department of Child Safety in the three years before their death	an effective child safety and juvenile justice system	monthly from 1 Aug 2004
Commissioner met regulated child service agency representatives (Queensland Catholic Education Commission, Association of Independent Schools Queensland, Homestay providers and the Queensland Youth Alliance) about new blue card requirements and risk management training	a safe environment for children and young people	Feb to Jun 2005
Commissioner attended the Crime and Misconduct Commission's Crime Reference Committee	a safe environment for children and young people	monthly
Commissioner attended the inter-jurisdictional meeting of Commissioners and Child Guardians to exchange information on progressing the Commissions' agendas	an effective child safety and juvenile justice system, prevention and targeted early intervention strategies, and a safe environment for children and young people	bi-annually
Convened Early Years Advisory Network to provide expert advice to the Commissioner on early years issues	prevention and targeted early intervention strategies	6 Oct 2004
Special projects		
Finalised review and investigated serious issues involving harm and practices in the former Department of Families in North Queensland	an effective child safety and juvenile justice system	2004
Child labour review project final report to government	a safe environment for children and young people	Apr 2005
Studies of Society and Environment module – <i>Children's rights, children's lives</i> developed and printed	a safe environment for children and young people	Jun 2005
Initiated the development of an Aboriginal and Torres Strait Islander strategy to improve access to Commission services to Indigenous children and young people	an effective child safety and juvenile justice system and prevention and targeted early intervention strategies	ongoing
Development of <i>Snapshot 2005</i> – a statistical profile of children in Queensland	prevention and targeted early intervention strategies	annual