

## Chapter 7: Addressing the over-representation of Aboriginal and Torres Strait Islander children

The Palm Island Community Company is in full support of responses provided through QATSICCP to the Commission of Inquiry.

### **21. What would be the most efficient and cost-effective way to develop Aboriginal and Torres Strait Islander child and family wellbeing services across Queensland?**

- The use of existing, functional infrastructure is the most efficient method. Clearly the new Child and Family Centres, with their focus on well being, would be an ideal platform from which to deliver such a program.
- Consideration must be given to the integration of existing family support services in communities with any additional service – failure to do so will fragment the system

### **22. Could Aboriginal and Torres Strait Islander child and family wellbeing services**

**be built into existing service infrastructure, such as Aboriginal and Torres Strait**

**Islander Medical Services?**

- We are recommending that services are developed using a place-based approach, similar to that used to determine the sites and auspicing organisations for the Children and Family Centres (DETE)
- Consideration of unique community characteristics are critical to the success of any service, including the range of infrastructure already available and functioning in the communities
- These will differ between communities (in terms of capacity and quality) and thus it is essential that each community's needs and the suitability of the auspice are assessed and actioned on a case-by-case basis.

### **23. How would an expanded peak body be structured and what functions should it**

**have?**

- We are in agreement with all of the suggestions put forward by the Commission's Discussion Paper, however, we believe the priority areas are:
  - The development of new practice models that reflect Indigenous culture and are specifically designed for Aboriginal and Torres Strait Islander children and their families and focused on early intervention
  - Working with government and the sector on agreed practice frameworks and manuals that also reflect Indigenous culture
  - Provision of training on the protection of Aboriginal and Torres Strait Islander children. Training needs to include the development of cultural competence.
- Other expanded functions could include advocacy role aimed at Indigenous Services, undertaking complex or contested case reviews on referral from Indigenous Services and a robust research role including the coordination of practice-based research projects by individual Indigenous services.

**24. What statutory child protection functions should be included in a trial of a delegation of functions to Aboriginal and Torres Strait Islander agencies?**

- We are in agreement with all proposed statutory functions being partially or fully delegated to agencies as per the Discussion Paper
- However, we see the priority is for the statutory child protection function of **the placement** of an Aboriginal or Torres Strait Islander child (under Section 82 (1) of the *Child Protection Act 1999*) should be delegated to Aboriginal and Torres Strait Islander Agencies.
- Placement decisions have the capacity to cause irrevocable damage to children removed from their parents care. It has been our experience that the cultural suitability and the quality of care services offered to children and their families are the key influences on a child's wellbeing post removal.
- This statutory function alone, if delegated to agencies, will have the most impact of all in improving outcomes to Aboriginal and Torres Strait Islander children who become subject to statutory intervention, and the effect will be immediate.
- Specifically, we are recommending all delegations under the following section are divested to suitable agencies.

**82 Placing child in care**

(1) The chief executive may place the child in the care of—

- (a) an approved kinship carer for the child; or
- (b) an approved foster carer; or
- (c) an entity conducting a departmental care service; or
- (d) a licensee; or
- (e) if it is not possible, or not in the child's best interests, for the child to be placed in the care of an entity mentioned in paragraphs (a) to (d)—a provisionally approved carer for the child; or
- (f) if the chief executive is satisfied another entity would be the most appropriate for meeting the child's particular protection and care needs—that entity.

*Example for paragraph (f)—*

A particular medical or residential facility may be the most appropriate entity for a child with a disability.

(2) Also, if the child is in the chief executive's custody or guardianship under a child protection order, the chief executive may place the child in the care of a parent of the child

**25. What processes should be used for accrediting Aboriginal and Torres Strait Islander agencies to take on statutory child protection functions and how would the quality of those services be monitored?**

A combination of processes may suffice for accreditation and monitoring such as

- External accreditation under the Human Service Quality Standards
- monitoring by Child Safety Services individual case workers

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- monitoring by Community Resource Officers, Funding and Contract Management, Department of Communities, Child Safety and Disability Services
- monitoring by the Community Visitor