

## QUEENSLAND CHILD PROTECTION

### COMMISSION OF INQUIRY

#### STATEMENT OF WAYNE BRISCOE

I, **WAYNE GERALD BRISCOE**, c/- of 6A Neville Bonner Building, 75 William Street, Brisbane in the State of Queensland, Executive Director, Policy, Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, solemnly and sincerely affirm and declare:

#### ROLE

1. I have held senior positions in the Queensland Public Service for 20 years, including for the past eight years in Executive Director positions within the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs and its predecessor agencies. I have held my current position of Executive Director, Policy for two months.
2. I am a lawyer by profession having gained my qualifications in Tasmania. During my time in Queensland I have also held positions as a full-time and part-time member of the Law Reform Commission of Queensland, Senior Research Officer with the then Criminal Justice Commission, Executive Manager of the Legislation and Policy Division of the Office of Fair Trading and Executive Director of Liquor Licensing.
3. The Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA) was established as part of the machinery of government changes after the March 2012 State Election. Prior to this, the then Aboriginal and Torres Strait Islander Services (ATSIS) and the then Multicultural Affairs Queensland were parts of the then Department of Communities.
4. Other former public service work units which are now a part of DATSIMA include the Cultural Capability Team (from the former Department of Communities), the Project 2800 team (from the Public Service Commission), the Cultural Heritage Unit (from the former Department of Environment and Resource Management) and employment officers (from the former Department of Employment, Economic Development and Innovation).
5. DATSIMA welcomes the Commission's focus on strategies to reduce the over-representation of Aboriginal and Torres Strait Islander children in the child protection system. Our department is committed to working with the Department of Communities, Child Safety and Disability Services (DCCSDS), as the Department which leads program and policy responses in the child protection area, to reduce Indigenous over-representation and ensure that Indigenous children are supported and provided with culturally responsive services.

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## ***Aboriginal and Torres Strait Islander Affairs***

6. DATSIMA has a key role in leading and facilitating Aboriginal and Torres Strait Islander policy and engagement and providing whole-of-government leadership to improve outcomes for all Aboriginal and Torres Strait Islander Queenslanders. The agency has a mandate to drive whole-of-government Indigenous reforms, coordinate improvements to services for Indigenous Queenslanders, gather and facilitate access to Indigenous information, provide expert advice on Indigenous engagement and demonstrate leadership and vision on Aboriginal and Torres Strait Islander issues.
7. Since 2008, the former ATSIIS published a suite of reports on key indicators in Queensland's discrete Indigenous communities. These reports provide both quarterly and annual data on six key indicators, including the child protection indicators of substantiated notifications of harm and child protection orders.
8. The reports were originally published as a way to meaningfully partner with the discrete Indigenous communities, by providing these communities with timely and accurate local level data to track their progress and inform community action and development.
9. Significantly, since 2010, Annual Highlights Reports on key indicators for Queensland's discrete Indigenous communities have also been published by ATSIIS. The Annual Highlights Reports provide trend analysis, where possible, of the key indicators and allow communities and government to see how each community has been progressing over time as well as outcomes of government and community initiatives being delivered on the ground. All quarterly and annual reports and data bulletins published by ATSIIS have been provided to the Commission for their information.
10. DATSIMA also plays an important role in providing advice on engagement methods and facilitating forums for whole-of-government issues to be discussed with Aboriginal and Torres Strait Islander Queenslanders. The purpose of this engagement is to ensure Indigenous people have a strong voice in contributing to the development and implementation of Government policies, programs and services. DATSIMA and its predecessors have provided the Secretariat role for many of these forums, including regional engagement processes and formal advisory bodies. Child protection issues and the data published by ATSIIS have been raised as part of these engagement mechanisms with communities and community representatives on a number of occasions.
11. In my opinion, one of the most critical elements to the success of the Inquiry is to ensure that meaningful consultation and engagement is undertaken with Aboriginal and Torres Strait Islander children, young people, families, communities and representative bodies. It is recommended that, if possible, the Commission should hold hearings in discrete Indigenous communities and the Torres Strait, as well as in urban and regional areas with significant Aboriginal and Torres Strait Islander populations, such as Ipswich, Rockhampton, Townsville, Cairns and Logan to understand the unique child protection issues for Indigenous Queenslanders.

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12. Due to the recent change of government, new and existing whole-of-government engagement mechanisms are currently being considered by the Queensland Government. The Government is committed to creating real partnerships and maintaining positive and constructive relationships and engagement processes with Aboriginal and Torres Strait Islander Queenslanders in an effort to ensure that Indigenous people have a direct connection with government on the issues that affect them.

#### Data

13. Aboriginal and Torres Strait Islander children are over-represented at every stage of the child protection system. At June 2010, Aboriginal and Torres Strait Islander children represented 6.4 per cent of all young people in Queensland. The latest published statewide child protection data for the 12 months to 30 June 2011 shows Aboriginal and Torres Strait Islander children account for:
- 25.6 per cent of children subject to a notification (4,953 of 19,353)
  - 29.1 per cent of children on substantiated notifications (1,731 of 5,941)
  - 37.6 per cent of children subject to child protection orders (3,147 of 8,371) and
  - 37.9 per cent of children living away from home (3,052 of 8,063).<sup>1</sup>
14. While the collection of general child protection data is the responsibility of the Department of Communities, Child Safety and Disability Services, as noted above, DATSIMA collates and monitors the child safety indicators of substantiated notifications of harm and finalised child protection orders for Queensland's discrete Indigenous communities.
15. Queensland's discrete Indigenous communities are the communities of: Aurukun, Cherbourg, Doomadgee, Hope Vale, Kowanyama, Lockhart River, Mapoon, Mornington Island, Napranum, the Northern Peninsula Area (consisting of the distinct Indigenous communities of Bamaga, Injinoo, New Mapoon, Seisia and Umagico), Palm Island, Pormpuraaw, Woorabinda, Wujal Wujal and Yarrabah. For the purposes of reporting against key indicators, the communities of Coen and Mossman Gorge are also included due to their high Indigenous population and their participation in measures such as the Cape York Welfare Reform Trial.
16. The following table shows a summary of the data published in the Annual Highlights Report July 2010 – June 2011 by community, including the two child protection indicators of new substantiated notifications of harm, and child protection orders.

<sup>1</sup> Annual Tables, Department of Communities, Child Safety and Disability Services. Available from: <http://www.communities.qld.gov.au/childsafety/about-us/our-performance/summary-statistics>.

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17. Table 1: Summary of trends for Key Indicators: hospital admissions for assault-related conditions (2002/03 to 2010/11), reported offences against the person (2002/03 to 2010/11)<sup>a</sup>, convictions for breaches of Sections 168B and 168C of the *Liquor Act 1992* (2009/10 to 2010/11), substantiated notifications of harm (2009/10 to 2010/11), children admitted to child protection orders (2009/10 to 2010/11) and school attendance (2007 to 2011)

Community	Hospital admissions for assault-related conditions 2002/03 to 2010/11	Reported offences against the person 2002/03 to 2010/11 <sup>a</sup>	Charges resulting in convictions for breaches of Sections 168B and 168C, 2009/10 to 2010/11	Children subject of a substantiated notification of harm 2009/10 to 2010/11	Children admitted to child protection orders 2009/10 to 2010/11	Semester 1 student attendance rates 2007 to 2011 <sup>**</sup>	School
Aurukun	↔	↓	↓	↔	↔	↑	Western Cape College–Aurukun
Cherbourg	↔	↔	↓	↑	↔	↔	Cherbourg State School
Coen	↓	↔	n.a.	↔	↔	↔	Western Cape College–Coen
Doomadgee	↔	↔/↓ <sup>^</sup>	↓	↔	↔	↔	Doomadgee State School
Hope Vale	↔	↓	↔	↑	↔	n.a.	Hopevale State School <sup>b</sup>
Kowanyama	↓	↓	↓	↔	↔	↔	Kowanyama State School
Lockhart River	↓	↔	↓	↓	↔	↔	Lockhart State School
Mapoon	↓	↔	↔	↔	↔	↔	Western Cape College–Mapoon
Mornington Island	↔	↔	↓	↔	↔	↔	Mornington Island State School
Mossman Gorge	↔	n.a.	n.a.	↔	↔	↔	Mossman Gorge students <sup>c</sup>
Napranum	↔	↓	↔	↓	↔	↓	Western Cape College–Weipa <sup>d</sup>
Northern Peninsula Area	↔	↔/↔ <sup>^</sup>	↓	↔	↑	↔	Northern Peninsula Area State College
Palm Island	↔	↔	n.a.	↔	↓	↔	Bwgcolman Community School
Pormpuraaw	↓	↓	↓	↑	↔	↔	Pormpuraaw State School
Woorabinda	↔/↔ <sup>^</sup>	↔	↓	↔	↔	↔	Woorabinda State School
Wujal Wujal	↓	↔	↔	↔	↔	↑	Bloomfield River State School
Yarrabah	↑/↓ <sup>^</sup>	↔	↓	↑	↔	↔	Yarrabah State School

n.a. Not available - for further details see specific community profiles.

↑ Statistical evidence of an increase.

↓ Statistical evidence of a decrease.

↔ No statistical evidence of detectable change.

<sup>^</sup> Two arrows indicate a change in the trend during the reporting period.

<sup>a</sup> The reporting period for reported offences against the person is from 2002/03 for all communities except Aurukun, Coen, Hope Vale, Mapoon, Napranum and Wujal Wujal.

<sup>\*\*b</sup> Hopevale State School see *Notes to Accompany Data: School Attendance*.

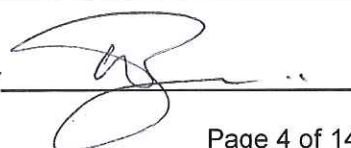
<sup>c</sup> Mossman Gorge students attending Mossman State and State High Schools.

<sup>d</sup> Napranum students attending Western Cape College–Weipa.

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18. Substantiated notifications data describe children aged 0 – 17 years who were the subject of a substantiated notification of harm during the period and whose families were residents of one of the discrete Indigenous communities at the time of notification.
19. Child protection orders data describe children aged 0 – 17 years who were admitted to a child protection order during the period and whose families were residents of one of the discrete Indigenous communities at the time of the original notification. The latest published data by the former ATSIIS, provided in the *Annual Highlights Report for Queensland's Discrete Indigenous Communities July 2010 – June 2011*, shows that rates vary across the discrete Indigenous communities.
20. The rate at which children of the discrete Indigenous communities were the subject of substantiated notifications in 2010/11 varied from zero in Mossman Gorge to 148.6 per 1,000 persons (0 – 17 years) in Coen.<sup>2</sup> The rate at which children of the discrete Indigenous communities were admitted to child protection orders in 2010/11 varied from zero in Mapoon to 67.6 per 1,000 persons (0 – 17 years) in Coen.<sup>3</sup>
21. The table below shows a pictorial representation of the change from 2009/10 to 2010/11 in child safety indicators in the discrete Indigenous communities.

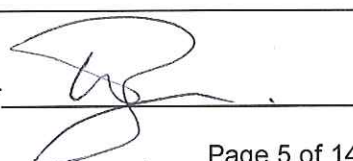
<sup>2</sup> Annual Highlights Report for Queensland's Discrete Indigenous Communities, July 2010 – June 2011 (AHR), page 12.

<sup>3</sup> AHR, page 13.

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**22. Table 2: Summary of changes in annual rates of children with substantiated notifications of harm and children admitted to child protection orders, 2009/10 to 2010/11**

Community	Substantiated notification of harm change 2009/10 to 2010/11	Annual percentage change 2009/10 to 2010/11	Children admitted to child protection orders change 2009/10 to 2010/11	Annual percentage change 2009/10 to 2010/11
Aurukun	↔	-18.1	↔	-43.9
Cherbourg	↑	156.0	↔	-28.0
Coen	↔	n.a.	↔	n.a.
Doomadgee	↔	9.4	↔	38.1
Hope Vale	↑	323.7	↔	10.4
Kowanyama	↔	-2.6	↔	-3.1
Lockhart River	↓	-55.1	↔	n.a.
Mapoon	↔	n.a.	↔	0.0
Mornington Island	↔	-43.5	↔	-24.6
Mossman Gorge	↔	0.0	↔	n.a.
Napranum	↓	-53.6	↔	-38.2
Northern Peninsula Area	↔	41.0	↑	n.a.
Palm Island	↔	-15.6	↓	-77.5
Pormpuraaw	↑	189.4	↔	-49.9
Woorabinda	↔	47.1	↔	n.a.
Wujal Wujal	↔	16.7	↔	n.a.
Yarrabah	↑	161.7	↔	-36.6

↑ Statistical evidence of an increase.

↓ Statistical evidence of a decrease.

↔ No statistical evidence of detectable change.

n.a. Comparison not applicable, for further details see specific community profiles.

*Annual Highlights Report for Queensland's Discrete Indigenous Communities, July 2010 – June 2011, page 14.*

23. As shown above, there was a significant increase in the rates at which children were the subject of a substantiated notification of harm in four communities from 2009/10 to 2010/11: Cherbourg, Hope Vale, Pormpuraaw and Yarrabah. There was also a significant decrease in the rates at which children were the subject of a substantiated notification of harm in Lockhart River and Napranum.<sup>4</sup>

<sup>4</sup> Annual Highlights Report for Queensland's Discrete Indigenous Communities, July 2010 – June 2011, page 14.

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24. There was a significant decrease in the rate at which children were admitted to child protection orders on Palm Island from 2009/10 to 2010/11. In contrast, there was a significant increase in the rate for the Northern Peninsula Area over the same period. The rate of children admitted to child protection orders in all other communities did not change significantly between 2009/10 and 2010/11.<sup>5</sup>

### Policy Frameworks

25. Significant policy frameworks developed by DATSIMA (and its predecessors), such as Meeting Challenges, Making Choices and Partnerships Queensland, have acknowledged the importance of addressing issues in a holistic and culturally appropriate manner in order to close the gap in disadvantage for Aboriginal and Torres Strait Islander Queenslanders.
26. For example, increasing employment and educational outcomes, improving housing as well as increasing connection to land and culture is intrinsically related to reducing Indigenous over-representation in the criminal justice system. The same can be said in addressing Indigenous child protection issues.
27. *The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report* gave a powerful portrayal of the levels of violence and the impact on individuals and families. This report acknowledged that there are many factors which influence violence in Indigenous communities. The Report stated that:
- "Education was consistently advocated as a powerful tool for social change, essential for personal, professional and community growth, and a liberating force as people move beyond child and adult disempowerment, resulting antisocial behaviours, and welfare dependency. Education is for life and provides opportunities at many developmental stages for possible and essential primary prevention and critical intervention programs. Education is therefore a critical factor in addressing violent attitudes and behaviours."*<sup>6</sup>
28. The department works across the State Government on the wide-range of issues impacting on Aboriginal and Torres Strait Islander peoples and communities. A particular focus is on improving outcomes in health, education, and employment.
29. Matters such as alcohol and substance misuse, mental health, housing and homelessness, loss of parenting skills and family connection due to past government policies, and the capacity of communities to lead and support well-being are all issues which impact on child protection concerns.
30. The government's current overarching policy driver for Indigenous affairs, the National Indigenous Reform Agreement under the Council of Australian Governments' Closing the Gap agenda, outlines the importance of a whole-of-government approach to overcome the gap in life outcomes for Aboriginal and Torres Strait Islander Queenslanders.
31. Other current policy priorities of DATSIMA, further outlined in the following paragraphs, also stress this importance. In this way, the Department is working

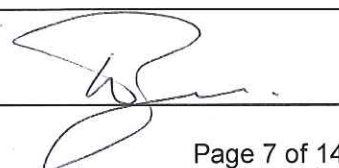
<sup>5</sup> AHR, page 14.

<sup>6</sup> The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report, 1999, page 146 (in March 2000 published version of report).

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towards addressing issues of violence and child protection by focusing on reducing disadvantage generally for Indigenous Queenslanders.

32. The inter-relatedness of Indigenous disadvantage means that all government agencies have to work together and with communities to improve outcomes for Aboriginal and Torres Strait Islander Queenslanders.

#### **COAG**

33. In 2007, the Council of Australian Governments (COAG) committed to *Close the Gap* in outcomes between Indigenous and non-Indigenous Australians. In 2008, COAG endorsed the *National Indigenous Reform Agreement* (the NIRA) as the lead agreement to address Indigenous disadvantage. Significant funding has also been committed by Australian, State and Territory Governments under this Agreement. The NIRA includes six key *Closing the Gap* targets:

- close the life expectancy gap within a generation
- halve the gap in mortality rates for Indigenous children under five years old within a decade
- halve the gap for Indigenous students in reading, writing and numeracy achievements within a decade
- ensure all four year olds in remote communities have access to early childhood education within five years
- halve the gap for Indigenous students in Year 12 attainment or equivalent attainment rates by 2020, and
- halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade.

34. The Closing the Gap agenda recognises that improving outcomes for Indigenous people requires adoption of a multi-faceted approach that sees effort directed across a range of "Building Blocks". An improvement in the area of one building block is heavily reliant on improvements made across the other Building Blocks. The Building Blocks are: Early Childhood, Schooling, Health, Healthy Homes, Safe Communities, Economic Participation, and Governance and Leadership.
35. While each of the Building Blocks contributes to achieving one or more of the six specific targets, by addressing these concurrently, the conditions will be established to reduce Indigenous disadvantage across a broad range of policy fronts. Child protection, and the National Framework for Protecting Australia's Children, comes under the Safe Communities Building Block.
36. DATSIMA performs a key role in leading and coordinating Queensland Government efforts to *Close the Gap* in Indigenous disadvantage and meet the COAG targets.

#### **Cape York Welfare Reform Trial**

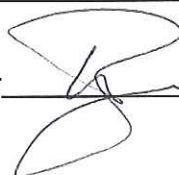
37. The Cape York Welfare Reform Trial, a partnership between the Queensland Government, the Australian Government and Cape York Institute for Policy and Leadership, aims to empower individuals and enable local authority to change behaviours in response to chronic levels of welfare dependency, social dysfunction and economic exclusion. The Trial runs in the communities of Aurukun, Coen, Hope Vale and Mossman Gorge.

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38. The Family Responsibilities Commission (FRC) is a key plank of the Trial. The FRC uses conferencing, case management and service referral to promote child safety, school attendance, lawful behaviour and responsible tenancy. The FRC also seeks to restore local authority by engaging respected community Elders as Local Commissioners.
39. Achievements and outcomes of the Cape York Welfare Reform Trial are provided in the reports on key indicators in Queensland's discrete Indigenous communities as well as the Quarterly Reports and Annual Reports of the Family Responsibilities Commission. These Reports have been provided to the Commission.
40. People who are the subject of child safety notifications are referred to the FRC. If these people are within the jurisdiction of the FRC (only people who are residents of the welfare reform communities who are in receipt of welfare benefits are within jurisdiction), they are called to a FRC Conference composed of the Family Responsibilities Commissioner and Local Commissioners who meet with the referred people and attempt to identify the underlying difficulties they are experiencing.
41. Following this conference, these clients are likely to be referred to an appropriate service which might include:
- the Ending Family Violence Program (for addressing anger management and violence issues);
  - the Wellbeing Centre (to address psychological, alcohol and drug issues);
  - MPower (a family financial management support service)
  - Student Education Trusts
  - Abstudy
  - the Parenting Program (for assistance in developing parenting skills) and/or
  - management of social security income through the Basics Card.
42. The FRC has legislative power through the *Family Responsibilities Commission Act 2008* to impose income management on clients who do not take advantage of these opportunities.
43. Recent consultations relating to the possible extension of the Cape York Welfare Reform Trial resulted in information from Child Safety staff in Hope Vale that levels of notifications had decreased significantly and that things were 'starting to work'. It was also noted that there was an effective integrated case management process in Hope Vale which happened monthly. The Local Commissioners noted that good work had been done in the prevention side of Child Safety. The Local Commissioners were able to talk to parents about their behaviour before it escalated to the point where children were taken away, and Commissioners were working closely with Child Safety to review cases.
44. The Queensland Government is currently considering its position in relation to a possible extension of the Trial.

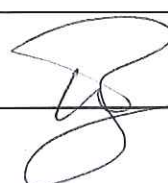
**Queensland urban and regional strategy—Learning Earning Active Places (LEAP) strategy**

45. While significant effort is focused on addressing issues and providing data for Queensland's discrete Indigenous communities, DATSIMA also recognises that Indigenous disadvantage, including over-representation in the child protection system, is an issue state-wide.

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46. In acknowledgment of this, the Learning Earning Active Places (LEAP) strategy (2011-2014) is being delivered in urban and regional areas, where approximately 78% of Aboriginal and Torres Strait Islander Queenslanders live. The strategy outlines how the government will work with Aboriginal and Torres Strait Islander peoples to improve access to education, employment, health and housing opportunities in urban and regional areas.
47. Under the strategy, a program of action will be developed every three years. The first program of action runs from July 2011 to June 2014 and includes:
- a number of across-government actions to improve access to education, employment, health and housing services to better meet the needs of Aboriginal and Torres Strait Islander Queenslanders
  - a positive social media campaign — *deadly stories* — to celebrate and promote the many achievements of Aboriginal and Torres Strait Islander peoples in urban and regional Queensland, and
  - local place-based responses to “close the gap” in urban and regional locations of Queensland based on community identified priorities.

#### **Employment Sector Engagement**

48. Pursuant to the *Queensland Government's Six Month Action Plan July-December 2012*, DATSIMA is negotiating agreements with peak bodies and companies in the mining, construction, agricultural and tourism industries to enhance Indigenous access to business and employment opportunities throughout Queensland.
49. The evidence base demonstrates that secure employment is a key factor in the optimal functioning of Indigenous households and in the reduction of the risk of domestic violence and other behaviours that affect the safety of children.

#### **The Queensland Aboriginal and Torres Strait Islander Justice Strategy**

50. The Queensland Government is committed to addressing Indigenous law and justice issues that contribute to the over-representation of Indigenous people in the criminal justice system as both offenders and victims, as well as in correctional centres and youth detention centres.
51. In December 2011, the Queensland Government launched the *Just Futures Strategy 2012-2015 (Just Futures)* which aims to improve community safety in Aboriginal and Torres Strait Islander communities throughout Queensland and to reduce the over-representation of Indigenous people as victims and offenders and in Queensland's prisons and youth detention centres. Just Futures commenced operation on 1 January 2012.
52. The central objective of *Just Futures* is to improve community safety by reducing offending and reoffending.
53. It focuses on prevention and early intervention to address the causes of crime (which include poverty, unemployment and substance misuse) as well as a culturally appropriate and responsive justice system. It adopts a community-based approach and whilst applying state-wide, effort is targeted in areas of high rates and volumes of offending. Target communities are: all discrete Indigenous communities; the Torres Strait; Cairns; Townsville; Mount Isa; Rockhampton and Brisbane.

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54. The Queensland Government is undertaking a review of this strategy in order to strengthen and align *Just Futures* with the current government priorities.
55. There are significant intersections with the child safety system particularly as it relates to the youth justice system.
56. *Just Futures* focuses on providing families with support particularly where children have made first contact with the youth justice system. Key actions also focus on early childhood development which has been shown to reduce youth offending and in the long-term adult offending. *Just Futures* commits to providing support to Early Years Centres to engage Indigenous children and their parents in kindergarten programs by: working with local Elders to promote the importance of kindergarten programs and delivering programs that strengthen parenting skills and confidence.
57. Another key feature of *Just Futures* is the need to support community leadership to improve community well-being including child protection issues and alcohol-related harm. Community safety plans in the remote communities and in targeted urban areas are being developed and set out practical actions to improve well-being.

#### **Alcohol Management Plans**

58. DATSIMA acknowledges alcohol misuse as a leading cause of many social problems in Indigenous communities including high levels of child protection notifications and substantiations.
59. In the discrete Indigenous communities, alcohol misuse is addressed through Alcohol Management Plans which include alcohol restrictions and services such as Men's and Women's Groups and other diversionary programs.
60. The Queensland Government has made a commitment to 'work with Indigenous communities to review Alcohol Management Plans (AMPs) and identify a pathway into the future'. The aim of AMPs is to reduce the high levels of alcohol-related harm in discrete Indigenous communities, particularly family violence against women and children.
61. The government is committed to working with Aboriginal and Torres Strait Islander communities to address alcohol-related harm, highlight the importance of reducing the high levels of family violence, and identify how best to achieve this goal. DATSIMA is the lead Queensland Government agency for this review.

#### **Community Safety Plans**

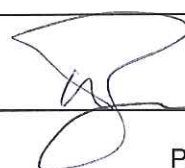
62. As part of the response to the Crime and Misconduct Commission's *Restoring Order: Crime prevention, policing and local justice in Queensland's Indigenous communities* report, the Queensland Government committed to trialling community safety plans in those Indigenous communities participating in the National Partnership Agreement (NPA) on Remote Service Delivery (RSD). Six Indigenous communities participate in the RSD NPA: Mornington Island; Doomadgee; Aurukun; Mossman Gorge; Hope Vale; and Coen.

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63. *Just Futures* extends the operation of community safety plans beyond the RSD communities and includes all discrete Indigenous communities, the Torres Strait and urban areas.
64. Community safety planning is an initiative that will enable local level planning and contribute towards restoring local authority. Community safety plans were viewed by the RSD communities as an opportunity for each community to identify safety issues and develop practical solutions to address these issues.
65. A number of communities have commenced development of community safety plans with Wujal Wujal having finalised its plan. The plans focus on improving well-being and preventing crime.

### **Community and Personal Histories**

66. Community and Personal Histories within DATSIMA also provides Aboriginal and Torres Strait Islander peoples with assistance to access government records created about themselves and their families and communities.
67. Under previous legislation, such as the *Aboriginals Protection and Restriction of the Sale of Opium Act 1897* and subsequent 'protection' Acts, past Queensland governments maintained enormous control over the lives of Aboriginal and Torres Strait Islander peoples. This control has created an ongoing legacy with dire intergenerational ramifications. It also resulted in the government creating a large body of records about Aboriginal and Torres Strait Islander peoples, including information about children removed from their families.
68. The Community and Personal Histories Unit within DATSIMA works closely with Link-Up and Bringing Them Home counsellors around Australia to assist Aboriginal and Torres Strait Islander people reconnect with their family and community. Community and Personal Histories also works with Child Safety Officers and foster carers to ensure that Aboriginal and Torres Strait Islander children currently in care have access to their genealogical information.

### **Multicultural Affairs**

69. Multicultural Affairs Queensland (MAQ) provides whole-of-government leadership in multicultural policy and engagement with people from culturally and linguistically diverse backgrounds across Queensland. MAQ coordinates the delivery of the Queensland Multicultural Policy and provides support to departments on multicultural policy issues and delivery of culturally appropriate services and programs.

### **Policy response**

70. The Queensland Government *Language Services Policy* aims to enhance access to interpreters and translated information for people from culturally and linguistically diverse backgrounds to enable equitable access to the full range of services. The whole-of-government policy commits all Queensland Government agencies to work with professional interpreters to improve communication with people unable to communicate in English.
71. The Queensland Government is committed to working with culturally and linguistically diverse communities to improve outcomes for communities and families. The Queensland Multicultural Policy, *A multicultural future for all of us*, promotes unity in

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our society and strengthens the social and economic participation of all Queenslanders.

#### Data

72. In Queensland more than 20 per cent of the population was born overseas<sup>7</sup>. Community consultation undertaken in 2009-10 indicated that child safety was a concern for people from culturally and linguistically diverse backgrounds (Consultation Report 2011: Review of the Queensland Government Multicultural Policy: *Multicultural Queensland – making a world of difference*). Specific issues were:
- lack of awareness of child safety, including the government's role in child protection,
  - need for parenting programs in the Australian context, in culturally appropriate and accessible ways, and
  - prevalence of domestic violence within some communities.
73. The same review of *Multicultural Queensland – making a world of difference* found that data collection regarding culturally and linguistically diverse clients, particularly within human services agencies, was insufficient. This is particularly of concern for child safety where no data is published relating to the culturally and linguistically diverse indicators, such as country of birth or language spoken other than English, of children within the child protection system.
74. Anecdotal evidence suggests that children from culturally and linguistically diverse backgrounds are over-represented in the child protection system. As a result the Ethnic Communities Council of Queensland (ECCQ), along with other community organisations, established the Multicultural Child Protection Working Group.

#### Use of interpreters and cultural competence

75. According to the 2011 Census, nearly 10 per cent of Queensland's population speak a language other than English and 45,927 people do not speak English well or at all<sup>8</sup>.
76. Involvement with child safety services is an emotional and often traumatic experience for families, which can be compounded when the person has difficulty communicating in English. The ability to understand and comply with legal requirements and expectations, to provide information which may assist in resolving issues and the ability to effectively participate in and understand decisions which are made that affect parents as well as their children is compromised.

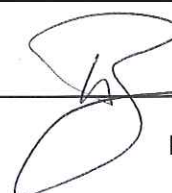
<sup>7</sup> Source: ABS 2011 Census.

<sup>8</sup> Source: ABS 2011 Census.

Witness signature



Signature of officer



### **Multicultural Child Protection Working Group**

77. The Multicultural Child Protection Working Group (MCPWG), convened by ECCQ, is a network of community-based organisations and key multicultural agencies, which aims to identify and address concerns with regards to Child Safety and Child Protection services and culturally and linguistically diverse families and children.
78. The MCPWG aims to raise the cultural competencies of human service workers, as well as identifying and developing procedures and protocols to address the needs of those accessing prevention and early intervention services.

### **Learning Together Child Protection project**

79. The ECCQ is currently developing the Learning Together Child Protection project, funded by the Department of Communities, Child Safety and Disability Services and its predecessor agencies. This project aims to research the issues which face families from culturally and linguistically diverse backgrounds and to work with culturally and linguistically diverse communities and mainstream service providers to increase access to prevention services and enhance service efficacy for vulnerable families.

### **Toowoomba Multicultural Child Safety Project**

80. In 2009, the then Department of Communities' Child Safety Services undertook a 12 month trial project in Toowoomba to increase engagement with the Sudanese community and enhance the cross-cultural skills of frontline staff. MAQ provided policy and community-specific advice to Child Safety Services to assist them in the effective delivery of this project. The pilot project delivered:
- three Strengthening Parenting Workshops to 54 Sudanese participants,
  - a child protection protocol between Child Safety Services, the Queensland Police Service and the Sudanese community,
  - a Sudanese Elders Committee elected by the community to guide development of the protocol and provide ongoing cultural advice to staff,
  - research into Sudanese cultural ways of parenting and child protection, and
  - training for 40 staff from government and non-government service providers on working with interpreters and six cross-cultural sessions on issues for Sudanese refugees to all Child Safety staff based in Toowoomba.

### **Conclusion**

81. DATSIMA is committed to continuing to lead whole-of-government policy initiatives and community engagement mechanisms for Aboriginal and Torres Strait Islander and culturally and linguistically diverse Queenslanders. Our department will continue to work with DCCSDS and across the Queensland Government to address Indigenous disadvantage, including the over-representation of Aboriginal and Torres Strait Islander children in the child protection system.

Declared before me at Brisbane this 24 day of August 2012.

Witness signature: \_\_\_\_\_



Signature of officer: \_\_\_\_\_

