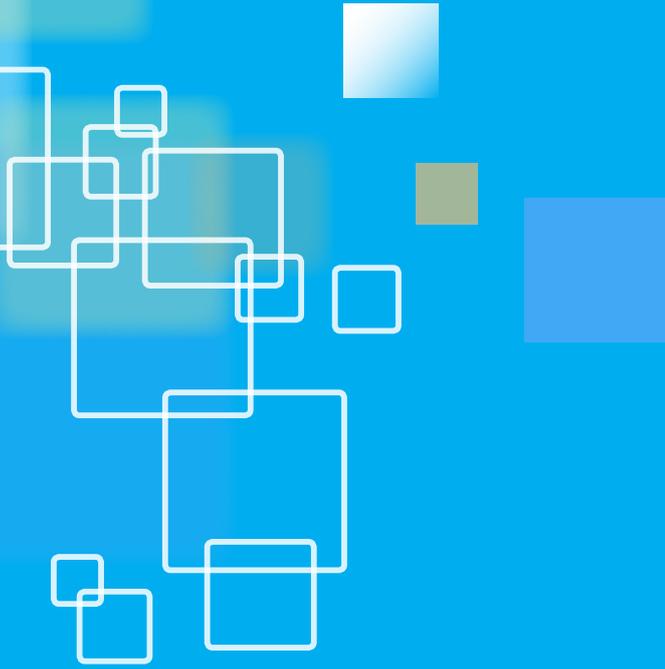


# Chapter 12



## Chapter 12

### Conclusion – Next steps in the work of the Commission

This paper has described some critical pressure points in a system under stress. It has outlined the view of those individuals and organisations who have, to date, contributed statements and submissions or who have appeared as witnesses before the Commission. Many of these views have not been tested or validated against an evidence base, or against opposing perspectives. In many cases an evidence base is not available to enable this. The paper has also tried to present selected academic literature relating to the various topics discussed, as well as some alternative approaches used in other jurisdictions in Australia or overseas.

This Discussion Paper does not attempt to cover all the concerns that have been brought to the attention of the Commission, nor does it intend to present the Commission's analysis and position on the full range of matters that will be explored in the Final Report.

#### 12.1 Key issues yet to be explored by the Commission

Child protection in Queensland is a complex system attempting to respond to difficult and multi-faceted problems. In the Commission's attempts to analyse the current system and look for effective solutions to the problems confronting it, it has identified a broad range of issues warranting examination. Many of these are addressed in this paper and others are canvassed in this section. The Commission recognises that there are many people with experiences of the system, and with views on how it can be improved, whose ideas may not have been raised in the discussion to date. The Commission welcomes and encourages any meaningful contribution on the matters raised in this paper or on any other issue within the Commission's terms of reference.

The Commission intends to consider the particular needs of children and families from culturally and linguistically diverse backgrounds, as well as those who face particular challenges because of a physical disability or intellectual impairment. These matters

have received scant attention in the Discussion Paper, but have certainly been brought to the Commission's attention. They deserve specific commentary about how services to these groups might be improved.

The Commission has also identified a range of matters that require further investigation in relation to court and tribunal processes, such as whether the range of court orders for children and young people in care is adequate and flexible.

The Commission is yet to fully describe the problems faced by the child protection system in terms of information sharing, as identified by many stakeholders. The Commission intends to explore options for greater sharing of information while recognising the constraints on agencies and individuals, in an effort to foster greater sharing of knowledge between agencies when it comes to individual cases. This in turn raises a question about the need for greater risk-sharing and responsibility for child protection across government departments, between different tiers of government and between the government and non-government sectors. The Commission also recognises that effective information sharing is crucial for decision-making and case management.

It has been noted that there appears to be a gap in knowledge about the extent and location of universal and secondary services throughout Queensland. The need for a better understanding of the service delivery system and the current capacities of the non-government sector will be a further focus for the Commission over the coming months.

The Commission has undertaken an initial review of the implementation of recommendations from both the Forde Inquiry (which inquired into abuse of children in Queensland institutions) and the Crime and Misconduct Commission's 2004 child protection inquiry (which inquired into the abuse of children in foster care). Following receipt of additional information from the department, the Commission's assessment about the progress that has been made in response to recommendations from these two inquiries will form a component of the Commission's final report.

Finally, the Commission is aware that recommendations made by previous Queensland inquiries into the child protection system have not always been well implemented. This may have been because of the recommendations themselves, it may have been that the political and operational climate changed and the recommendations were no longer relevant or useful, or it may have been that implementation of the recommendations led to unintended negative consequences. The Commission intends to try to understand the barriers to effective change and to mould recommendations in such a way as to take account of these barriers.

## **12.2 Final stages of the project**

The Commission invites submissions in response to this Discussion Paper. Feedback should be received by 15 March 2013.

In the time it has left, the Commission will invite key legal stakeholders to meet and provide specific input on matters relating to court and tribunal processes. Separate meetings will also be arranged with the peak child protection bodies and with relevant government agencies to seek comment on the Discussion Paper and any additional issues that should be addressed by the Commission. The Commission's Advisory Group will meet again to workshop the ideas presented in the Discussion Paper and those that are still being considered by the Commission.

In a separate piece of work that is currently under way, Commission research officers are undertaking a series of interviews with officers of the department, the Commissioner for Children and Young People and Child Guardian, academics and the non-government sector to discuss matters relating to complaints and oversight mechanisms.

Aside from gathering comments from stakeholders on the Discussion Paper, there are several additional projects in progress to be completed over the next two months. These are:

- a survey of the non-government frontline workforce
- a survey of legal practitioners
- a small case review project (where departmental records relating to 20 child protection cases will be analysed)
- final hearings to seek further comment from the Director-General of the Department of Communities, Child Safety and Disability Services.

The Commission is also conscious of relevant reforms outlined in the State Government's *Six month action plan* (January–June 2013). The Commission's recommendations will need to take account of the progress of these reforms.

#### **Question 47**

What other changes might improve the effectiveness of Queensland's child protection system?