

Legal Affairs and Safety Committee Report No. 66 – Oversight of Queensland Family and Child Commission

Recommendation	Queensland Government response
<p>Recommendation 2:</p> <p>The Committee recommends that the Queensland Government considers amending section 13 of the <i>Family and Child Commission Act 2014</i> to provide that commissioners are appointed for a term of 5 years and may be reappointed.</p>	<p>Support in principle. As part of finalising the legislative review of the <i>Family and Child Commission Act 2014</i> (FCC Act), consideration will be given to amendments to increase the Commissioners' term of appointment from 3 years to 5 years and to allow for reappointment.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>
<p>Recommendation 3:</p> <p>The Committee recommends that the Queensland Government consider implementing the amendments to the FCC Act suggested by the QFCC in its submission titled 'Legislative Review <i>Family and Child Commission Act 2014</i>' dated March 2023 in response to the discussion paper concerning the legislative review of the FCC Act.</p>	<p>Consideration of each key amendment proposed by the Queensland Family and Child Commission (QFCC) in their submission to the FCC Act review is considered below.</p>
<ul style="list-style-type: none"> Establish a dedicated, independent, appropriately empowered and resourced Commissioner for Aboriginal and Torres Strait Islander children and young people. 	<p>Support. As part of the <i>Community Safety Plan for Queensland</i>, released on 30 April 2024, the Queensland Government has committed to the appointment of an Aboriginal and Torres Strait Islander Children's Commissioner.</p> <p>This announcement reflects the Queensland Government's earlier commitment under the <i>Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026</i> to develop Minimum Requirements for Aboriginal and Torres Strait Islander Commissioners, and to implement a plan to strengthen Commissioner roles as guided by the minimum requirements (actions 7a and 7b).</p>
<ul style="list-style-type: none"> Establish compatible powers for both Commissioners to exercise in the performance of QFCC functions. 	<p>Support in principle. Consideration will be given to this issue as part of finalising the legislative review of the FCC Act. This may need to be further considered as part of implementing the government's commitment to establishing an Aboriginal and Torres Strait Islander Children's Commissioner.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>

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<ul style="list-style-type: none"> • Add a more explicit role for the Commission to “promote the rights of children and young people”. 	<p>Support in principle. Consideration will be given to an amendment as part of finalising the legislative review of the FCC Act.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>
<ul style="list-style-type: none"> • Add a new objective to “promote the rights, development, wellbeing and best interests of Aboriginal and Torres Strait Islander children and young people”. 	<p>Support in principle. Consideration will be given to an amendment as part of finalising the legislative review of the FCC Act.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>
<ul style="list-style-type: none"> • Add new functions to “promote a culture of accountability for upholding the rights of children and young people in Queensland” and “promote the participation of children and young people in the making of decisions that affect their lives”. 	<p>Support in principle. Consideration will be given to amendments as part of finalising the legislative review of the FCC Act.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>
<ul style="list-style-type: none"> • Enable the QFCC to provide leadership for e-safety within Queensland. 	<p>Support in principle. Consideration will be given to this issue as part of finalising the legislative review of the FCC Act.</p> <p>As required under section 42(2) of the FCC Act, the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence will table a report about the outcomes of the legislative review in the Legislative Assembly as soon as practicable after finishing the review.</p>
<ul style="list-style-type: none"> • Establish a reportable conduct scheme as recommended by the Royal Commission into Institutional Responses to Child Sexual abuse. 	<p>Support. On 12 June 2024, the Minister for Child Safety, Minister for Seniors and Disability Services and Minister for Multicultural Affairs introduced the Child Safe Organisation Bill 2024. The purpose of the Bill is to:</p> <ul style="list-style-type: none"> - establish mandatory compliance with 10 child safe standards (CSS) based on the National Principles for Child Safe Organisations (National Principles), and a Universal Principle for cultural safety for Aboriginal and Torres Strait Islander children; - establish a reportable conduct scheme (RCS) for the oversight of reporting and

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	<p>investigations into allegations of child abuse by organisations within scope; and</p> <ul style="list-style-type: none"> - provide that the QFCC is the independent oversight body responsible for administration of CSS and an RCS. <p>The Bill is before the Community Support and Services Committee with the Committee due to table its report on 2 August 2024.</p>
<ul style="list-style-type: none"> • Establish a child safety scheme as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. 	<p>Support (as above, this has been dealt with as part of the Child Safe Organisations Bill 2024).</p>