

# **Oversight of the Queensland Family and Child Commission**

**Report No. 31, 57th Parliament**  
**Legal Affairs and Safety Committee**  
**August 2022**

## **Legal Affairs and Safety Committee**

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## Abbreviations

Act	<i>Family and Child Commission Act 2014</i>
annual report	Queensland Family and Child Commission Annual Report 2020-21
Board	Child Death Review Board
Coda	new Child Death Register
Commissioner	Natalie Lewis
committee	Legal Affairs and Safety Committee
Department / DCYJMA	Department of Children, Youth Justice and Multicultural Affairs
FTE	full time equivalent
Principal Commissioner	Luke Twyford
public hearing	Public oversight hearing held with the QFCC on 28 March 2022
QFCC	Queensland Family and Child Commission
Standing Orders/SO	Standing Rules and Orders of the Legislative Assembly

## Chair's foreword

The Legal Affairs and Safety Committee has oversight responsibilities for the Queensland Family and Child Commission. This report provides information regarding the performance by the QFCC of its functions under the *Family and Child Commission Act 2014*.

The committee held a public hearing with Luke Twyford, Principal Commissioner of the QFCC, and Natalie Lewis, Commissioner, on 28 March 2022. The committee also reviewed the QFCC's Annual Report 2020-21 which was tabled on 30 September 2021.

On behalf of the committee, I thank Parliamentary Service staff and the staff of the QFCC who assisted the committee throughout the course of its oversight for the 2020-21 financial year.

I commend this report to the House.



Peter Russo MP

**Chair**

## Recommendation

### Recommendation

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The committee recommends that the Legislative Assembly notes the content of this report.

## 1 Introduction

### 1.1 This report

The Legal Affairs and Safety Committee (committee) prepared this report as part of its statutory oversight of the Queensland Family and Child Commission (QFCC), with primary focus on the work of the QFCC in the 2020-21 financial year.

### 1.2 Role of the committee

The committee is a portfolio committee of the Legislative Assembly which commenced on 26 November 2020 under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly (Standing Orders).<sup>1</sup>

The committee's primary areas of responsibility are:

- Justice and Attorney-General
- Women and the Prevention of Domestic and Family Violence
- Police and Corrective Services
- Fire and Emergency Services.

In addition to the QFCC, the committee also has oversight responsibilities for the:

- Electoral Commissioner of Queensland
- Information Commissioner
- Queensland Ombudsman.<sup>2</sup>

### 1.3 Purpose and functions of the Queensland Family and Child Commission

The *Family and Child Commission Act 2014* (the Act) established the QFCC on 1 July 2014.

The purpose of the QFCC is to promote the safety, wellbeing and best interests of children and young people and improve the child protection system. The Act sets out the functions of the QFCC which include:

- oversight of the child protection system
- promotion and advocacy regarding the responsibilities of families to protect and care for, and the safety and wellbeing of, children and young people, particularly those in the child protection or youth justice system
- to provide research, assistance, capacity building and leadership for agencies involved in the child protection system
- to review, analyse and evaluate systemic policies and practices relevant to the child protection system
- to inform and educate the community
- to report to the Minister about matters relating to its functions.<sup>3</sup>

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<sup>1</sup> *Parliament of Queensland Act 2001*, s 88 and Standing Order 194.

<sup>2</sup> Standing Orders, Schedule 6.

<sup>3</sup> *Family and Child Commission Act 2014*, s 9.

The Act also sets out the ways in which commissioners are to perform functions, including:

- (a) engaging with, and taking into consideration, the views of children, young people and their families
- (b) ensuring the interests of Aboriginal people and Torres Strait Islanders are adequately and appropriately represented
- (c) respecting and promoting the role of Aboriginal and Torres Strait Islander service providers in supporting Aboriginal and Torres Strait Islander families and communities to protect and care for their children and young people
- (d) being sensitive to the ethnic or cultural identity and values of children, young people and their families
- (e) consulting with relevant agencies and advocacy entities
- (f) working cooperatively with relevant agencies and helping build their capacity to meet the needs of children, young people and their families.<sup>4</sup>

#### **1.4 The committee's responsibilities regarding the Queensland Family and Child Commission**

Schedule 6 of the Standing Orders provides that the committee has oversight responsibility for the QFCC. Under Standing Order 194A, the committee's oversight responsibilities with respect to the QFCC are to:

- (a) monitor and review its performance of its functions
- (b) report to the Legislative Assembly on any matter concerning the QFCC, the QFCC's functions or the performance of the QFCC's functions the committee considers should be drawn to its attention
- (c) examine the QFCC's annual report tabled in the Legislative Assembly, and comment, if appropriate, on any aspect of the report
- (d) report to the Legislative Assembly on any changes to the functions, structures and procedures of the QFCC the committee considers desirable for the more effective operation of the QFCC or the Act.

#### **1.5 Commissioners**

The Act provides that there are to be 2 commissioners for the QFCC. One of the commissioners is to be appointed as the Principal Commissioner and at least one person who acts as a commissioner must be an Aboriginal person or a Torres Strait Islander.<sup>5</sup> Luke Twyford is the chief executive and Principal Commissioner. He was appointed in January 2022.<sup>6</sup> Natalie Lewis is a descendant of the Gamilaraay Nation and was appointed Commissioner of the QFCC in May 2020.<sup>7</sup> The Act provides that a commissioner may hold office for a term of no more than 3 years.<sup>8</sup>

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<sup>4</sup> *Family and Child Commission Act 2014*, s 23.

<sup>5</sup> *Family and Child Commission Act 2014*, s 11.

<sup>6</sup> QFCC, 'Our Executive', <https://www.qfcc.qld.gov.au/our-people/our-executive>.

<sup>7</sup> QFCC, 'Our Executive', <https://www.qfcc.qld.gov.au/our-people/our-executive>.

<sup>8</sup> *Family and Child Commission Act 2014*, s 13.



The Commissioners are subject to the direction of the Minister.<sup>9</sup> Their functions include:

- ensuring the QFCC performs its functions effectively and efficiently
- making recommendations to the Minister about the performance or functions of the QFCC or the commissioners or that assist the Minister in the administration of the Act.<sup>10</sup>

The Principal Commissioner has additional functions to control the QFCC, and to record, analyse, research and report on information about child deaths.<sup>11</sup>

### **1.6 The committee's process**

In conducting its oversight functions in respect of the QFCC, the committee adopted the following process:

- examined the QFCC Annual Report 2020-21 (annual report) (see section 2)
- held a public hearing with the Principal Commissioner and Commissioner on 28 March 2022 (public hearing) (see section 3).

The transcript of the public hearing is available on the committee's webpage.

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<sup>9</sup> *Family and Child Commission Act 2014*, s 22.

<sup>10</sup> *Family and Child Commission Act 2014*, s 18.

<sup>11</sup> *Family and Child Commission Act 2014*, s 19.

## 2 Examination of Annual Report 2020-21

This section highlights the key aspects of the annual report examined by the committee.

### 2.1 Overview

The QFCC tabled its annual report on 30 September 2021, pursuant to section 40 of the Act. It is prepared in accordance with the *Financial Accountability Act 2009* and the annual report requirements for Queensland Government agencies.<sup>12</sup>

The annual report provides information about the QFCC's performance in relation to its strategic objectives, its financial position and its compliance with legislative requirements.<sup>13</sup>

In the service delivery statements of the Queensland State Budget 2020–21, the QFCC had one service area objective: to promote the safety and wellbeing of children and young people and the role of families and communities in protecting and caring for them. In this regard, in 2021–22 the QFCC will introduce an efficiency measure, QFCC expenditure per young Queenslander, for the purpose of highlighting the efficiency and value of the QFCC in fulfilling its obligations under its Act.<sup>14</sup>

The annual report advises on the QFCC's performance in relation to its priorities which are identified as:

- Awareness – to promote and raise awareness of the rights of children and young people in Queensland
- Advocacy – to advocate for what matters in the lives of children and young people and their families
- Accountability – to hold to account the systems responsible for the safety and wellbeing of the most vulnerable children and young people.<sup>15</sup>

Performance against each of these areas is summarised below.

### 2.2 Accountability

#### 2.2.1 Systems oversight

The oversight role of the QFCC focuses on monitoring, reviewing and reporting on Queensland's child protection system, including proactively overseeing the systems accountable for the safety and wellbeing of vulnerable children and young people. The *QFCC Oversight Strategy 2020–2022* details the schedule of proactive systemic reviews for the year.<sup>16</sup>

In 2020-21, the QFCC undertook the following major work in this regard:

1. *Changing the Sentence: Overseeing Queensland's youth justice reforms*: an oversight project to examine options for future youth justice systems and processes to ensure investment decisions are implemented to support the best outcomes for children, young people and the community.<sup>17</sup>
2. *Seeing they are Safe: Responsiveness to 5-day and 10-day notifications of child harm in Queensland* report: this review examined the differing contexts in which the Department of Children, Youth Justice and Multicultural Affairs (the department) delivers its investigation and assessment function and the complexities and challenges facing its frontline workforce. The

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<sup>12</sup> QFCC, *Annual Report 2019-20*, p 3.

<sup>13</sup> QFCC, *Annual Report 2019-20*, p 2.

<sup>14</sup> QFCC, *Annual Report 2020-21*, p 7.

<sup>15</sup> QFCC, *Annual Report 2020-21*, p 6.

<sup>16</sup> QFCC, *Annual Report 2020-21*, p 9.

<sup>17</sup> QFCC, *Annual Report 2020-21*, pp 9, 10.

report found some improvements in response timeliness and innovation in investigation and assessment approaches but also that ‘there is an unacceptable delay between when an investigation and assessment process is commenced and a child safety officer sights (physically sees) the child’. The review also highlighted the value of partnerships in supporting timely and high-quality investigation and assessment responses.<sup>18</sup>

3. *Child and family support sector workforce environmental scan*: this scan details the current state of the child and family workforce and identified challenges and opportunities in building a strong and sustainable workforce in the future, and was shared with key stakeholders. The QFCC found a) the sector is under increasing pressure; b) the size and capability of the workforce need to grow to meet demand; c) ongoing demand for tertiary child protection services; d) there are recruitment and retention challenges particularly in rural and remote areas; e) the reasons for high staff turnover include comparative wages with other sectors, overtime and burnout; f) learning and development needs are unmet.<sup>19</sup>
4. *Rights, Voices, Stories*: The project focussed on the experiences and perspectives of children and young people who rely on the child protection system to stay safe and well, as well as identifying their views on the outcomes they believe should be measured.<sup>20</sup>
5. The QFCC is undertaking a review of interventions with parental agreement to highlight areas of good practice and identify opportunities for system improvements to protect and keep children safe at home. The review is due to be completed by mid-2022 with a report to follow after that.<sup>21</sup>
6. Principle focus—Systemic accountability for the safety and wellbeing of Queensland’s First Nations children: a child-rights approach: this program seeks to increase system-level awareness, accountability and advocacy for the rights of Aboriginal and Torres Strait Islander children by monitoring, evaluating and reviewing the effective application of the Aboriginal and Torres Strait Islander Child Placement Principle.<sup>22</sup>
7. Oversight groups: The QFCC chairs two oversight groups with child protection stakeholders, the Reviews Strategic Advisory Group and the Strategic Cross-agency Oversight Group.<sup>23</sup>

### **2.2.2 Performance of the Queensland child protection system and evaluation**

Section 40 of the Act requires the QFCC to report on:

- the performance of Queensland’s child protection system in achieving state and national goals
- Queensland’s child protection system’s performance over time in comparison to other jurisdictions
- Queensland’s progress in reducing the number of, and improving the outcomes for, Aboriginal and Torres Strait Islander children and young people in the child protection system.

In this regard, the QFCC conducts annual data collection activities, including surveys of the community and frontline child protection and family support sector workforce and designing and conducting system-level evaluations. Additionally, the QFCC has lead responsibility for evaluating the child protection reforms being implemented in response to the recommendations of the 2013 Queensland

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<sup>18</sup> QFCC, *Annual Report 2020-21*, p 10.

<sup>19</sup> QFCC, *Annual Report 2020-21*, pp 10, 11.

<sup>20</sup> QFCC, *Annual Report 2020-21*, p 11. A copy of the final report can be found here: <https://www.qfcc.qld.gov.au/sites/default/files/2021-12/RVSreport.PDF>.

<sup>21</sup> QFCC, *Annual Report 2020-21*, p 11.

<sup>22</sup> QFCC, *Annual Report 2020-21*, p 12.

<sup>23</sup> QFCC, *Annual Report 2020-21*, p 12.

Child Protection Commission of Inquiry report, which is done at 3 milestones over the 10-year reform program.<sup>24</sup>

The findings of the outcomes evaluation as they relate to the strategic directions of the *Supporting Families Changing Futures* reform program show:

- There is a need to measure what matters to children and young people in the system.
- The workforce (and the services it delivers) is stretched and demand is increasing across the system.
- The over-representation of Aboriginal and Torres Strait Islander children is not decreasing.
- There are mixed views about the extent to which responsibility, risk and accountability are being shared.
- Governance of the reform program could be more strategic.<sup>25</sup>

Findings from the workforce survey in 2020 (with 761 responses received) include:

- Survey respondents' perceptions about their roles and organisations were generally more positive than their perceptions about the broader child protection and family support system.
- Respondents working for non-government organisations were often more positive than those from government agencies.
- Compared with the 2019 survey results, the 2020 survey shows some improvements in perceptions:
  - that work/caseloads are manageable
  - that organisations have a positive culture about the performance of the system
  - that reforms are improving outcomes regarding access to high-quality learning and development opportunities.<sup>26</sup>

The 2020 community perspectives survey (with 2530 responses received) found that public confidence and trust in the Queensland child protection system was found to be holding steady.<sup>27</sup>

### **2.2.3 Prevention of child deaths**

The QFCC maintains the Queensland Child Death Register and analyses information from the register to produce an annual report on the deaths of all children in Queensland for the purpose of improving the understanding of risk factors and supporting the development of new policies and practices to reduce child deaths.<sup>28</sup>

The QFCC launched its new Child Death Register (Coda) on 12 March 2021, which improves functionality and migrates the full dataset of the previous 17 years of child death data.<sup>29</sup>

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<sup>24</sup> QFCC, *Annual Report 2020-21*, p 13.

<sup>25</sup> QFCC, *Annual Report 2020-21*, p 13. A copy of the final report can be found here: <https://www.qfcc.qld.gov.au/keeping-kids-more-safe/monitoring-reviewing-systems-protect-children/evaluating-child-protection>.

<sup>26</sup> QFCC, *Annual Report 2020-21*, p 14.

<sup>27</sup> QFCC, *Annual Report 2020-21*, p 14.

<sup>28</sup> QFCC, *Annual Report 2020-21*, p 15.

<sup>29</sup> QFCC, *Annual Report 2020-21*, p 15.

The QFCC tabled its *Annual Report: Deaths of children and young people, Queensland 2019-20* in the Queensland Parliament on 17 March 2021. The report found:

- a gradual decline in child mortality rates from natural causes (diseases and morbid conditions)
- deaths from natural causes still accounted for the majority of deaths of children (249 deaths or 66%) while external (non-natural) causes of death accounted for 75 deaths (20%)
- transport was the leading external cause of death, with 21 deaths
- suicide was the second leading cause of external deaths, with 20 deaths, a marked decrease from 37 suicide deaths in 2018–19. However, suicide remains the leading cause of death in young people aged 15–17 years over the last 5 years (37%) and a leading cause for the 10–14 years age group (18%).<sup>30</sup>

During the 2020-21 year, the QFCC also conducted its 16-year review of child death data for the purpose of identifying patterns and conducting statistical analysis to generate new insights into risk and protective factors for particular causes of death.<sup>31</sup> The review identified the following trends:

- The overall rate of child mortality in Queensland has decreased by an average of 3% per year.
- Unexplained infant deaths have decreased by an average of 13.2% per year since 2011, with the rate of sudden infant death syndrome, in particular, falling by 17.4% per year, on average, between 2011 and 2019.
- External cause deaths have decreased by an average of 4.1% per year. There has been a strong downward trend in the number of transport deaths specifically, which have decreased since 2004, on average, by 7.9% per year. This is largely due to a decrease in the rate of on-road incidents involving young people aged 15–17 years that has occurred since the introduction of a graduated licensing system in Queensland in 2007.
- The rate of youth suicide, however, has increased by an average of 2.6% per year, primarily concentrated among young people aged 15–17 years.
- Aboriginal and Torres Strait Islander children continue to be over-represented in child mortality statistics, dying at around twice the rate of non-Indigenous children. There has, however, been an encouraging downward trend in the annual rate of death for Aboriginal and Torres Strait Islander children over time, decreasing by an average of 2.3% per year.
- Infant mortality—a key marker of population health—has declined for both Aboriginal and Torres Strait Islander and non-Indigenous children, with an annual average decrease of 4.7% and 2.6% per year respectively.
- Children known to the child protection system are also over-represented in child death statistics, dying at a higher rate than those in the general child population in Queensland. For the period 2015–2019, children known to the child protection system died at a rate of 58.6 per 100,000 children compared with 34.4 per 100,000 for all Queensland children.<sup>32</sup>

The QFCC also worked with researchers from the University of Queensland during 2020-21 to develop an evidence base for red flags for filicide using data from the Queensland Child Death Register. This

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<sup>30</sup> QFCC, *Annual Report 2020-21*, p 16.

<sup>31</sup> QFCC, *Annual Report 2020-21*, p 16.

<sup>32</sup> QFCC, *Annual Report 2020-21*, p 17.

project identified several risk factors that, when occurring together, may indicate a child is at increased risk of filicide.<sup>33</sup> Further:

A system-wide resource highlighting the red flags that professionals must be aware of when working with families has been developed. The sector will be further consulted in the first quarter of 2021–22 with an expected release date to be scheduled in the second quarter.<sup>34</sup>

The QFCC is developing a child death prevention strategy ‘with a focus on using the research and analysis of Queensland’s child death data to influence child death prevention practices and policy changes’.<sup>35</sup>

On 1 July 2020, amendments to the *Family and Child Commission Act 2014* were enacted to establish the independent Child Death Review Board (the Board). The Board conducts systemic reviews following the death of a child connected to the child protection system, to identify opportunities to improve the child protection system and prevent future deaths. It does not investigate the deaths of individual children. It held its first meeting on 23 July 2020.<sup>36</sup>

## 2.3 Awareness

As part of its responsibility to engage with, and take account of, the views of children, young people and their families and uphold the rights of children to participate in decision-making that affects their lives, the QFCC promotes and raises awareness of their rights in a number of ways. In 2020-21, they sought participation from children and young people through 3 key engagement mechanisms:

- *Growing Up in Queensland* project
- *Families are First* project
- QFCC Youth Advisory Council.<sup>37</sup>

### 2.3.1 Engagement and education

As part of its role in engagement and education around matters concerning children and young people, the QFCC:

- conducted the *Growing Up in Queensland 2020* project to provide opportunities to share their views and discuss issues that matter to them
- launched a visual arts opportunity for young Queenslanders aged 13 to 18 years called *Amplify—Through my eyes* with 46 pieces of artwork received, as well as an *Amplify* monthly blog where Youth Advocates share their views about the issues that are most important to them
- supported several events during Queensland Youth Week in 2021
- collaborated with a number of agencies and organisations on the initiative *Online safety—Out of the Dark*, to prevent, recognise and respond to online child sexual exploitation
- continued to support activities in the *Families are First* program to showcase the stories of Aboriginal and Torres Strait Islander families and communities

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<sup>33</sup> QFCC, *Annual Report 2020-21*, p 17.

<sup>34</sup> QFCC, *Annual Report 2020-21*, p 17.

<sup>35</sup> QFCC, *Annual Report 2020-21*, p 18.

<sup>36</sup> QFCC, *Annual Report 2020-21*, p 18.

<sup>37</sup> QFCC, *Annual Report 2020-21*, p 20.

- continued the community education initiative *Talking Families* ‘to reduce stigma and instil confidence in parents about seeking and accepting support with the stresses of parenting’<sup>38</sup>
- continued its relationship with Children’s Rights Queensland in delivering programs to educate the Queensland community about children’s rights under the United Nations *Convention on the Rights of the Child*
- started a project to have a culturally appropriate community conversation with Aboriginal and Torres Strait Islander children and young people about their interaction with the justice system
- developed, in partnership with the Commissioner for Children and Young People Western Australia, a set of national resources to help children and young people know their rights and be able to make a complaint (*Speak up and make a complaint*—National complaints project)
- prepared a Child Rights Impact Assessment to raise awareness of children’s rights.<sup>39</sup>

### **2.3.2 Partnerships**

The QFCC maintains partnerships with a range of stakeholders, bodies, government organisations, advisory groups and academics, including:

- QFCC Advisory Council and Youth Advisory Council
- Aboriginal and Torres Strait Islander Community Health Service Brisbane (on Young, Black and Proud scholarship sponsorship)
- Australia and New Zealand Children’s Commissioners and Guardians
- Family and Child Connect
- Department of Education (a partnership on the Talking Families school initiative)
- Office for Youth (on Queensland Youth Week)
- Australian Institute of Family Studies
- Queensland Child Protection Week Committee
- Strategic Cross-Agency Oversight Group
- QFCC Reviews Strategic Oversight Group
- Family Matters
- Queensland First Children and Families Board
- Queensland Aboriginal and Torres Strait Islander Child Protection Peak
- Queensland Council of Social Services
- Peak Care Qld
- Queensland Aboriginal and Islander Health Council
- Children’s Rights Queensland.<sup>40</sup>

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<sup>38</sup> QFCC, *Annual Report 2020-21*, p 23.

<sup>39</sup> QFCC, *Annual Report 2020-21*, pp 21-25.

<sup>40</sup> QFCC, *Annual Report 2020-21*, p 25.

## 2.4 Advocacy

As part of its role in advocating for what matters in the lives of children and young people and their families, the QFCC:

- developed the *Advocacy Blueprint* and the *Advocacy Strategy*
- continued to translate research into usable information for policymakers and practitioners
- developed submissions to inform reviews and inquiries
- made recommendations about relevant laws, policies, practice and services
- prepared position statements and information papers to influence policy or advocate for change
- participated in national and state reference and working groups
- built and maintained strong partnerships
- consulted children, young people and their families.<sup>41</sup>

## 2.5 Financial performance

### 2.5.1 Financial results

In 2020–21, the QFCC's total revenue was \$13.721 million in comparison to \$12.759 million in 2019–20. Expenses for 2020–21 totalled \$12.780 million, down from \$13.370 million in 2019–20. The QFCC maintained a sound net asset position in the 2020–21 financial year.<sup>42</sup>

## 2.6 Workforce

A snapshot of QFCC's workforce profile as at 30 June 2021:

- 61.34 full-time equivalent staff employed, with total employee expenses for the year of \$9.550 million, representing 75% of the QFCC's operating expenditure
- 80% of staff were female and 20% male, with 10.14% identifying as Aboriginal and/or Torres Strait Islander and 2.90% identifying as having a disability.<sup>43</sup>

The QFCC regularly reviews its *Strategic Workforce Plan*. Additionally, the QFCC has implemented several initiatives 'to attract and retain an inclusive, diverse and capable workforce'.<sup>44</sup>

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<sup>41</sup> QFCC, *Annual Report 2020-21*, pp 30, 31.

<sup>42</sup> QFCC, *Annual Report 2020-21*, p 40.

<sup>43</sup> QFCC, *Annual Report 2020-21*, p 42.

<sup>44</sup> QFCC, *Annual Report 2020-21*, p 42.



### 3 Queensland Family and Child Commission oversight hearing

In his opening statement at the public hearing, Mr Luke Twyford, the Principal Commissioner stated that the QFCC remained ‘focused on inspiring positive changes within the systems that uphold the rights, safety and wellbeing of Queensland’s children’.<sup>45</sup>

The Principal Commissioner summarised the following as significant QFCC achievements for 2020-21:

Highlights of the commission’s work last year included: Principle Focus, an exploration of the factors leading to over-representation of First Nations children in our statutory systems; Rights, Voices, Stories, through which we engaged 11 youth researchers to build upon their lived experience in the out-of-home-care system; Growing Up in Queensland, a survey of 8,000 Queensland young people; *Measuring what matters*, a review of the impact of the implementation of the Supporting Families Changing Futures reform; Yarning for change, a process of speaking directly to young people involved in the youth justice system to identify from their perspectives systemic improvements; and producing the first Child Death Review Board annual report, along with our analysis of 16 years of child death data.<sup>46</sup>

The Principal Commissioner also advised that the *Independent review of the performance of the Queensland Family and Child Commission of its functions* was tabled in Queensland Parliament on 13 January 2022 and that the review found ‘the commission was delivering its legislative functions and was maintaining a significant influence within the child protection system’.<sup>47</sup>

The Principal Commissioner advised that concerns remained about the following:

- the rising incidence of youth suicide
- the pervasiveness of domestic violence in many of the case files QFCC reviews
- the life trajectories of children who are removed from family
- society’s view of children who commit a crime.<sup>48</sup>

The Principal Commissioner advised that QFCC will continue to focus on the ‘core objectives of raising awareness, advocating for improvement and ensuring overall system accountability’ through continuing independent reviews and strategic alliances.<sup>49</sup>

The Commissioner, Natalie Lewis, advised that the Attorney-General has instructed the Department of Justice and Attorney-General to commence a legislative review of the QFCC.<sup>50</sup> The Commissioner also reinforced the QFCC’s child rights approach in their work with the commission continuing to build expertise in relation to the social policy areas, issues and systems that they engage with and seek to influence on behalf of children and young people in Queensland.<sup>51</sup> The Commissioner continued:

The prevalence of the perspectives, insights and aspirations of children and young people in the QFCC’s work, particularly over the last 12 months, is a direct result of our staff understanding that the people who are most impacted by the work should be centred in it. Rather than vulnerability being an excuse for not centring the voices, views and aspirations of young people, it is perhaps the most compelling reason why we should engage them as critical experts in their own lives and best placed to provide us with creative options and solutions to the many issues that have confounded all of us as adults for a long time.

<sup>45</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>46</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>47</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>48</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>49</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>50</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>51</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

Our staff have created space for young people to be actively engaged and appropriately supported to have their say on issues that matter to them. Engagement of young people with the Mental Health Select Committee is just one recent example of direct participation, and I acknowledge the members of that committee for so warmly welcoming the perspectives of our young people.<sup>52</sup>

The Commissioner also commented that a priority focus remains on the issues that disproportionately impact upon Aboriginal and Torres Strait Islander children and young people in Queensland. The QFCC also remains focused 'on the under-representation of our children and young people in terms of equitable access to universal and targeted supports and services'.<sup>53</sup>

### Budget

In relation to the budget, the Principal Commissioner advised during the public hearing:

We have a current budget of \$14.1 million. In 2021-22, the commission expended \$12.78 million to deliver its functions.<sup>54</sup>

The Principal Commissioner continued:

Two months into my role I am confident that we have a sufficient budget for this financial year and for the financial years past. We are tracking below our expenditure against our total budget of \$14.1 million in the order of \$300,000. Predominantly that is due to reduced travel and reduced fieldwork during lockdowns and the COVID experience. I am seeing that increase. We have staff currently in our youth detention facilities interviewing and talking to both staff and young people. We are travelling to remote and regional locations to reconnect with the people we have been dealing with online for the last two years.

Overall, I expect that we will be close to our budget for this year and next year. We had some EBA increases that took place in September of last year that led to increased employee expenditure. The proportion of our total budget that goes to employee expenditure is something that I am paying attention to. I think there will need to be some strategic planning as a result of our independent review to look at our form and function and how we best deliver our services over the next financial year.

We are also the recipient of limited life funding following the Carmody review that expires on 30 June this year. We are currently going through a process of budget assessment around how we acquit for that expenditure and how we move forward into the new financial year with a sound budget connected to a sound structure connected to a strategic plan that we are currently engaged in building.<sup>55</sup>

In response to a question taken on notice during the public hearing regarding the travel budget, QFCC stated:

In 2021-22, the QFCC expended \$57,596 or 0.45% of its budget on employee travel. Between 2018-19 and 2021-22, expenditure on travel reduced from 2.71% to 0.96% of total expenditure excluding employee expenses.<sup>56</sup>

### Workforce

During the public hearing, the Principal Commissioner updated the committee on the QFCC's workforce:

The FTE figure in our annual report is taken as at 30 June so we would see it fluctuate across reporting periods. In the 2020 financial year there were 65 FTEs. The following year there were 63 FTEs reported in the annual report. Despite that, there was an increase in employee expenditure. That relates to that EBA

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<sup>52</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>53</sup> Public hearing transcript, Brisbane, 28 March 2022, p 3.

<sup>54</sup> Public hearing transcript, Brisbane, 28 March 2022, p 2.

<sup>55</sup> Public hearing transcript, Brisbane, 28 March 2022, pp 8-9.

<sup>56</sup> Queensland Family and Child Commission, correspondence, 8 April 2022, p 1.

change—so an increase in wages—as well as throughout the year we did have a higher number of staff than the 63, but obviously by 30 June they had departed the commission.

Looking back on both years, the 2020 year was over budget and for the 2021 year the commission came in under budget in the order of almost \$940,000. Despite fewer staff and higher employee costs, overall the commission was managing within its revenue. We will be doing the same this year and for future years.

...

Just for clarity, today we have a headcount of 69 FTE total, but that is equating to about 63.5 FTEs. That is against an FTE cap of 68. We are maintaining our staffing levels below budget and below our FTE cap and managing to deliver our work, apart from that COVID impacted work that I mentioned earlier.<sup>57</sup>

### Other matters

In response to a question taken on notice at the public hearing regarding the reporting of deaths of children who are known to the child protection system, the QFCC advised:

In 2021-22 to 31 March 2022, the QFCC has been advised of the deaths of 55 children known to the child safety system. We receive notification that a child has died from the Department of Children, Youth Justice and Multicultural Affairs (DCYJMA) generally within 7 business days.

I have confirmed with the DCYJMA that there have been no changes to the circumstances around the release of information. The *Child Protection Act 1999* contains confidentiality provisions and the current approach is intended to ensure the dignity and privacy of the child and their family is protected.<sup>58</sup>

Questions from the committee during the public hearing focused on:

- the Home Stretch campaign that would raise the age children can be in state care from 18 to 21
- an update on Coda, the Child Death Register that was launched in 2021
- an update on the red flags project and the timeframe for publication of documentation
- outlining QFCC's opportunities, priorities and actions in the short term
- the increase in youth suicide, particularly for females, and what can be done to support families and children, including specific support services
- the results from the workforce survey, including identifying factors that contribute to high turnover and actions being taken to address the challenges for, and experiences of, those in the frontline workforce
- data in the child death review and information in relation to cases with unknown causes
- recruitment of Aboriginal and Torres Strait Islander peoples in the frontline workforce
- how the QFCC addresses 'survey fatigue' when conducting its surveys
- the QFCC budget and staffing numbers
- how the QFCC's future planning deals with the vastness of the state and the different complexities from region to region and from community to community
- education campaigns, particularly in relation to drowning in baths and co-sleeping
- the proportion of the budget spent on employee travel

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<sup>57</sup> Public hearing transcript, Brisbane, 28 March 2022, p 9.

<sup>58</sup> Queensland Family and Child Commission, correspondence, 8 April 2022, pp 1-2.

- reporting of deaths of children who are known to the child protection system and QFCC's role.<sup>59</sup>

#### 4 Committee comment

The committee commends the QFCC for its work on raising awareness about matters concerning Queensland children, young people and their families; advocating for improvement; and ensuring system accountability through continuing independent reviews and strategic alliances.

The committee notes the QFCC's child rights approach in their work and, in this regard, the focus on continuing to build QFCC's expertise and engage with and seek to influence matters on behalf of children and young people in Queensland. As part of this, the committee is pleased to see the QFCC's continuing work to explore the factors that contribute to the over-representation of Aboriginal and Torres Strait Islander children and young people in Queensland's statutory systems.

The committee also notes the work of the Child Death Review Board since its establishment on 1 July 2020, including the tabling of its first annual report and the analysis of 16 years of child death data.

The committee appreciates the assistance and information provided by the management and staff of the QFCC, which has helped the committee in its oversight role.

#### **Recommendation**

The committee recommends that the Legislative Assembly notes the content of this report.

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<sup>59</sup> Public hearing transcript, Brisbane, 28 March 2022, pp 3 – 10.