

Ensure systems are accountable for the impact they have on children and families

Accountability is essential within any system that impacts on vulnerable populations – particularly the safety and wellbeing of children, young people and their families. Our work assures the community that government agencies fulfil their responsibilities. The QFCC raises accountability by overseeing and publicly reporting on the child protection system’s performance through data collection and analysis and through our reviews and evaluations. Using our child death register we improve our own and others’ understanding of risk factors and support the development of new policies and practices. By bringing together evidence, the experiences of children and young people, and the insights of stakeholders, we produce high-impact analysis and evaluations of system performance.

Throughout 2021–22 the commission undertook and published a range of audits, reviews and evaluations designed to hold systems accountable for the impact they have on children. This included:

- *Principle focus: A child-rights approach to systemic accountability for the safety and wellbeing of Queensland’s First Nations children*, released in August 2021. This project analysed publicly available data confirming that Queensland’s Aboriginal and Torres Strait Islander children continue to be over-represented across the continuum of statutory child protection intervention. The position paper generated interest in Queensland and nationally and contributed to our ongoing monitoring of actions designed to reduce over-representation.
- *Rights, Voices, Stories: Identifying what matters to children and young people involved with the Queensland child protection system*, released in November 2021. This review involved 11 youth researchers with previous out-of-home care experience working with the commission to develop a framework for measuring the impact of the system on areas that are important for children and young people living in out-of-home care.
- *Rapid review of QFCC recommendations accepted by the Queensland Government*, completed in December 2021. This review analysed the implementation of 208 QFCC recommendations accepted by the Queensland Government since 2016. Government agencies with responsibility for implementation of recommendations received the report in December 2021. The QFCC accepted 9 suggestions and is working with system partners to improve how it designs, implements, and monitors reviews and recommendations.
- *Living through COVID: Growing up in Queensland 2021*, released in December 2021. The report analysed the feedback from 1,500 young people aged 13–18 who participated in the survey over a 4-week period.
- *Measuring what matters: Evaluation of outcomes achieved through the Queensland Child Protection Reform Environment (2014–20)*, published in January 2022. This review is an evaluation of the progress made following the Queensland Child Protection Commission of Inquiry in 2014. The review included consideration of how the reforms have reduced demand on the child protection system; how the reform impacted the frontline Child Safety workforce and what have we learned from program evaluations throughout the reform.
- *2020–21 Annual Report on Deaths of Children and Young People in Queensland*, released in February 2022. The report is required by section 29 of the *Family and Child Commission Act 2014* to analyse the deaths of Queensland children and young people. Factsheets were produced on the key findings including deaths of children known to the child protection system and Aboriginal and Torres Strait Islander child mortality.

- *2019–20 Australia and New Zealand Child Death Statistics*, produced in June 2022. The report presents information on child mortality from all 8 Australian states and territories.
- *Taking Lives: A Queensland study on parents who kill their children* and corresponding paper.
- *Final Report – A study of indicators of red flags for fatal child assault and neglect in Queensland*, released in June 2022. The aim of this study was to better understand fatal child assault and neglect within a family. While filicide is relatively rare compared to other external causes of death, 109 children between 2004 and 2020 have lost their lives at the hands of their parent or someone acting in a parenting role in Queensland.

Annual report on the performance of the Queensland child protection system

Section 40 of the *Queensland Family and Child Commission Act 2014* requires the QFCC to report annually on:

- Queensland’s performance in relation to achieving state and national goals relating to the child protection system
- Queensland’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.

This chapter of our annual report delivers on this legislative requirement. For this report, we identified system performance measures by scanning agencies’ reports and data sets. We also invited agencies to share any information they thought should be included in our reporting. We have used the most current data available to the QFCC.

The Act defines the child protection system as: “the system of services provided by relevant agencies to children and young people in need of protection or at risk of harm” and includes preventative and support services to strengthen and support families and prevent harm to children and young people. Using this definition, this report has assessed Queensland’s performance across 2021–22 against:

- state goals in the *Supporting Families Changing Futures 2019–2023*²⁴ whole-of-government strategy
- national goals (focus areas) in *Safe and Supported: The national framework for protecting Australia’s children 2021–2031*²⁵
- key indicators from the *Family Matters*²⁶ and *Closing the Gap*²⁷ reports (reducing the numbers of, and improving outcomes for, Aboriginal and Torres Strait Islander children and young people).

There is overlap between state and national goals. Rather than discussing each separately across multiple sections of this report, we have reported against the 5 common themes addressed by both state and national goals (see Table 2).

Table 2: Alignment of state and national goals for the 2021–22 section 40 report

State goals ²⁸	National goals ²⁹ (national framework focus areas)
Theme 1: Is the Queensland child protection and family support system supporting families earlier?	
2. Supporting Queensland families earlier	1. A national approach to early intervention and targeted support for children and families experiencing vulnerability or disadvantage
Theme 2: Are there sufficient resources to provide quality support services to Queensland children and families when needed?	
3. Working better with Queensland families who are in contact with the child protection system 6. Delivering quality services to Queensland children and families through a capable, motivated and client-focused workforce	4. Strengthening the child and family sector and workforce capability
Theme 3: Are Queensland's out-of-home care and youth justice systems upholding the rights of the children and young people they serve?	
4. Improving care and post-care for Queensland children and young people	4. Strengthening the child and family sector and workforce capability*
Theme 4: Are Queensland's out-of-home care and youth justice systems meeting the needs and upholding the rights of Aboriginal and Torres Strait Islander children, families and communities?	
5. Meeting the needs of Aboriginal and Torres Strait Islander children, families and communities	2. Addressing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems
Theme 5: Is the Queensland child protection and family support system a collaborative and accountable system?	
1. Sharing responsibility for the safety and wellbeing of Queensland children 7. Building and maintaining an accountable, transparent and cost-effective system	3. Improved information sharing, data development and analysis

* Children and young people who have experienced abuse and/or neglect, including children in out-of-home care and young people leaving out-of-home care and transitioning to adulthood, are a priority group for the National Framework.

Theme 1

Is the Queensland child protection and family support system supporting families earlier?

This theme relates to the following state and national goals:

State goal 2:

Supporting Queensland families earlier

National goal 1:

A national approach to early intervention and targeted support for children and families experiencing vulnerability or disadvantage

Remaining safely at home with their family is in children's best interests.³⁰ Providing effective early support to children, young people and families experiencing vulnerability can prevent their entry to the statutory system. Starting in 2014–15, the Queensland Government invested in the establishment of:

- a community-based referral service—Family and Child Connect
- secondary family support services—Intensive Family Support services and Family Wellbeing Services—for families who, without appropriate support, would be at risk of entering the statutory system.

These services were established to provide families experiencing vulnerability with timely access to a range of supports to help them meet the safety and wellbeing needs of their children and, where appropriate, prevent them from entering or re-entering the statutory child protection system. These services were also expected to reduce demand on the statutory system.

In addition to these targeted supports, Queensland families can access universal services, such as health, early childhood and school initiatives, and other services, such as drug and alcohol, and domestic and family violence services. These make an important contribution to keeping children and young people safe and preventing their entry into the child protection system. However, their impact can be hard to quantify as agencies generally do not directly measure and monitor child protection outcomes.³¹ In future, the QFCC is intent on improving the evidence base for how universal services contribute to child safety and harm reduction.

This section considers the extent to which families experiencing vulnerability are being supported earlier, the funding allocated to secondary services, the impact of the support and any barriers.

How does Queensland compare?

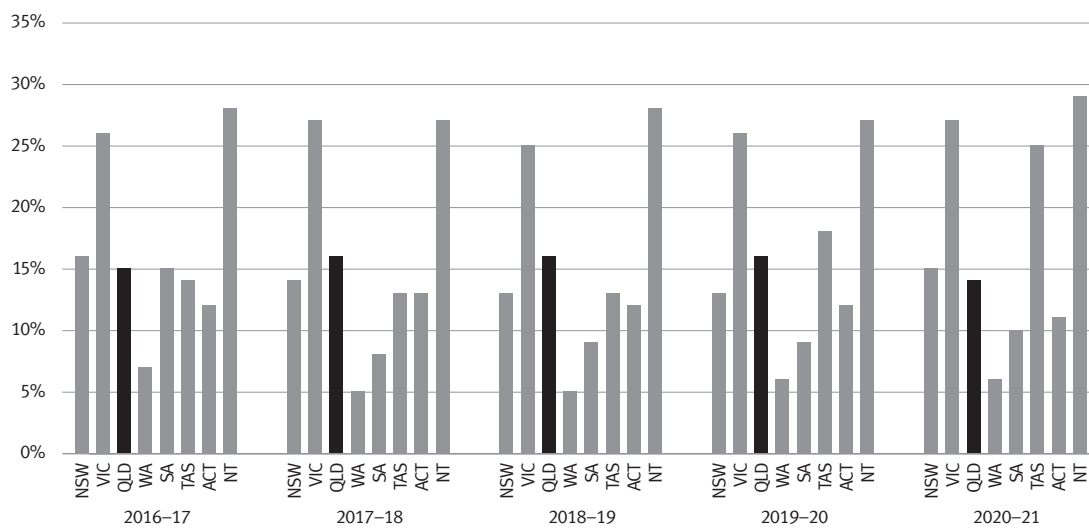
Compared to children in most other states, more Queensland children receive family support services; however, the spend per child is lower. In 2020–21, 15.3 per 1,000 Queensland children received intensive family support services. For each of the past 5 years, Queensland has had the second highest rate of children receiving services behind Tasmania.³²

Queensland's spend per child is among the lowest in the country. Queensland spent an average of \$6,982 per child on intensive family support services—lower than all other jurisdictions except Western Australia (\$6,450 per child) and Tasmania (\$3,416 per child). Since 2016–17, Queensland's average expenditure per child on intensive family support services has ranged between \$6,315 and \$7,570.³³

Figure 1 presents data on the proportion of child protection services funding spent on intensive family support and family support services. It shows that since 2016–17:

- around 15% of Queensland's expenditure has been allocated to these services
- only the Northern Territory and Victoria have consistently allocated a greater proportion of expenditure on these services than Queensland.

Figure 1: A comparison across Australian jurisdictions of the percentage of government real recurrent expenditure on intensive family support and family support services as a percentage of all child protection services (FY2017–FY2021)



Source: Productivity Commission, 2022 Table 16A.8³⁴

What is working well or improving?

- Many Queensland families are accessing family support services.** The number of referrals to Family Wellbeing Services continues to grow. In 2020–21, there were:
 - 32,141 enquiries to Family and Child Connect services, a 1.1% decrease on 2019–20³⁵
 - 6,304 referrals to Intensive Family Support services, a 6.1% decrease on 2019–20³⁶
 - 4,597 referrals to Family Wellbeing Services, a 3.0% increase on 2019–20.³⁷
- There is evidence that services are improving outcomes for children and families.** One in 6 referrals to Family Wellbeing Services were self-referrals, suggesting that families have confidence in these services.³⁸ Furthermore, Queensland families who attended a family support service in 2020–21 and whose case was closed with ‘all or the majority of their needs met’ were less likely to have a notification within 6 months than families who did not receive a service (Table 3).³⁹

Table 3: Percentage of children whose case was closed with ‘all or the majority of their needs met’ who had a subsequent Department of Children, Youth Justice and Multicultural Affairs’ notification within 6 months

	Service		
	Child Concern Report*	Intensive Family Support	Family Wellbeing Service
Aboriginal and Torres Strait Islander children	20.9%	14.6%	10.3%
Non-Indigenous children	12.0%	10.5%	7.1%

* Refers to children who were subject to a child concern report in the June quarter of 2020 and who had a subsequent notification within 6 months.

Source: Department of Children, Youth Justice and Multicultural Affairs, 2022⁴⁰

- Investment in family support services is increasing.** Since 2016–17, investment has increased by 35.1%.⁴¹ The 2022–23 Queensland Budget includes \$420.2 million over 4 years and \$92.2 million ongoing to continue the Supporting Families Changing Futures reform, including early intervention for families with children and young people at risk of coming into contact with the child protection system; deliver Family Wellbeing Services to provide culturally responsive support services; and continue the Family and Child Connect service to empower families to care for and protect their children at home.⁴²

What needs further improvement?

- **The capacity of the family support system is limited.** Despite increases in the number of families receiving family support service delivery, the demand on the statutory child protection system has also increased (see theme 2). Key findings from the QFCC’s study examining the impact of the introduction of secondary services were that: many services have long waitlists; and services often end up supporting families whose needs would be more appropriately met by the statutory system.⁴³
- **The frontline workforce lacks confidence that early intervention services can reduce demand for tertiary services.** Only 8% of respondents to the QFCC’s 2022 survey of frontline workers agreed there is sufficient capacity within the secondary support service system to meet demand and only one-quarter (23%) agreed that the services had reduced tertiary system demand.⁴⁴

Theme 2

Are there sufficient resources to provide quality support services to Queensland children and families when needed?

This theme relates to the following state and national goals:

State goal 3:

Working better with Queensland families who are in contact with the child protection system

National goal 4:

Strengthening the child and family sector and workforce capability

State goal 6:

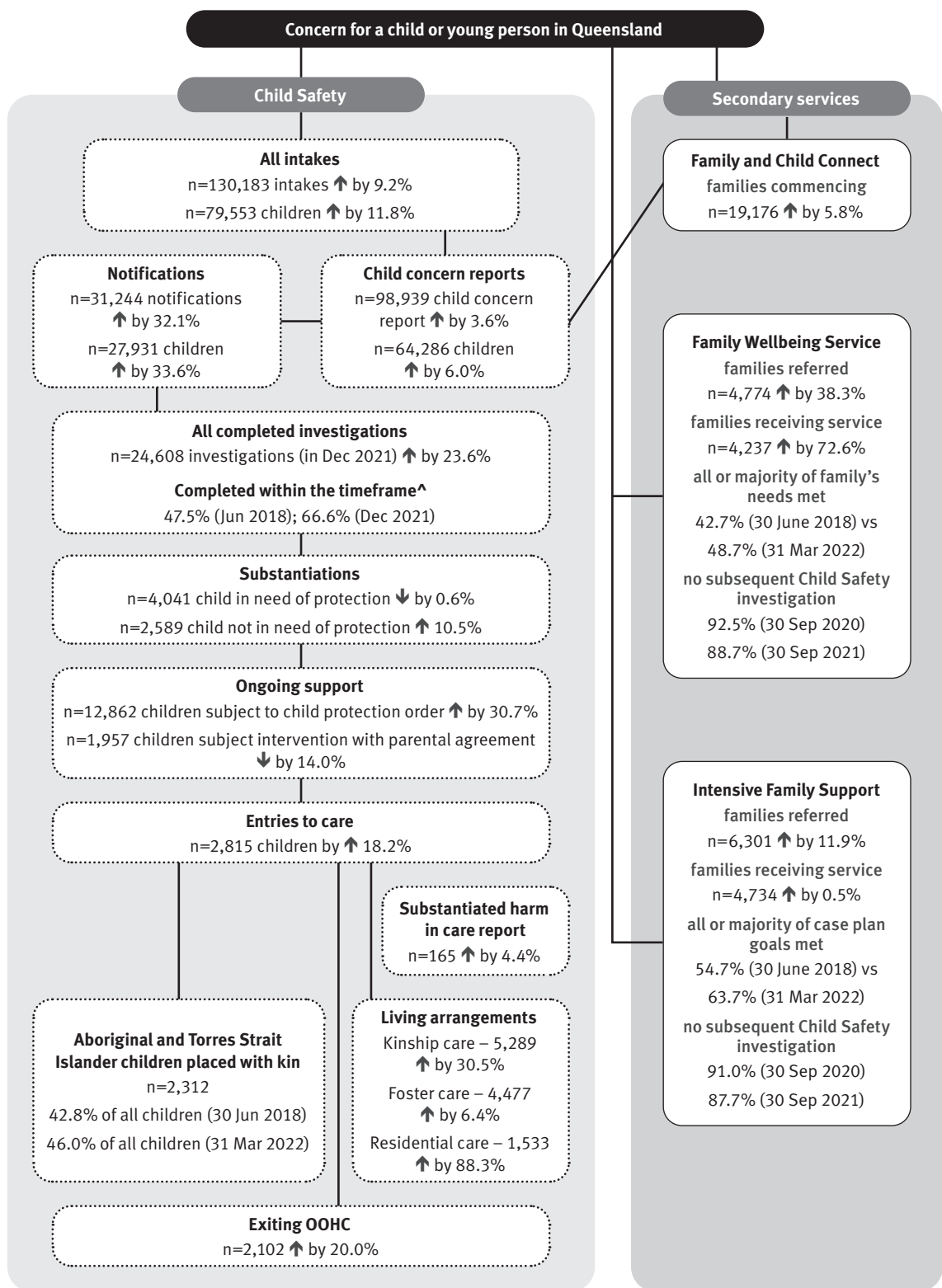
Delivering quality services to Queensland children and families through a capable, motivated and client-focused workforce

Queensland spent over \$1.5 billion on child protection services in 2020–21. From this funding:

- 8.4% (\$127 million) was spent on intensive family support services
- 5.8% (\$87.5 million) was spent on family support services
- 20.1% (\$304 million) was spent on protection intervention services
- 65.6% (\$991 million) was spent on out-of-home care services.⁴⁵

Figure 2 describes the Queensland child protection and family support system for 12 months ending 31 December 2021.⁴⁶

Figure 2: Flow chart with relevant available data for various points of the child protection and family support system—12 months ending 31 March 2022 noting percentage change from 12 months ending 30 June 2018



* Data notes: data is for the year ending March 2022 (12 months of data). Unless otherwise stated, percentage change reference point (where relevant) is 12 months ending 30 June 2018. Family and Child Connect services, Family Wellbeing Services and Intensive Family Support services were implemented from 2017, with new services rolled out over time.

^ Note: From 1 September 2019, the prescribed timeframe for completing an investigation and assessment changed from 60 calendar days to 100 calendar days.

Source: Department of Children, Youth Justice and Multicultural Affairs, 2022

The importance of the child protection and family support workforce cannot be understated.⁴⁷ ‘Many of the decisions that workers need to make involving vulnerable children, young people and their families can comprise extremely complex situations involving multiple stakeholders. The decisions can be ethically fraught and emotionally challenging, demanding a high level of knowledge and skill.’⁴⁸

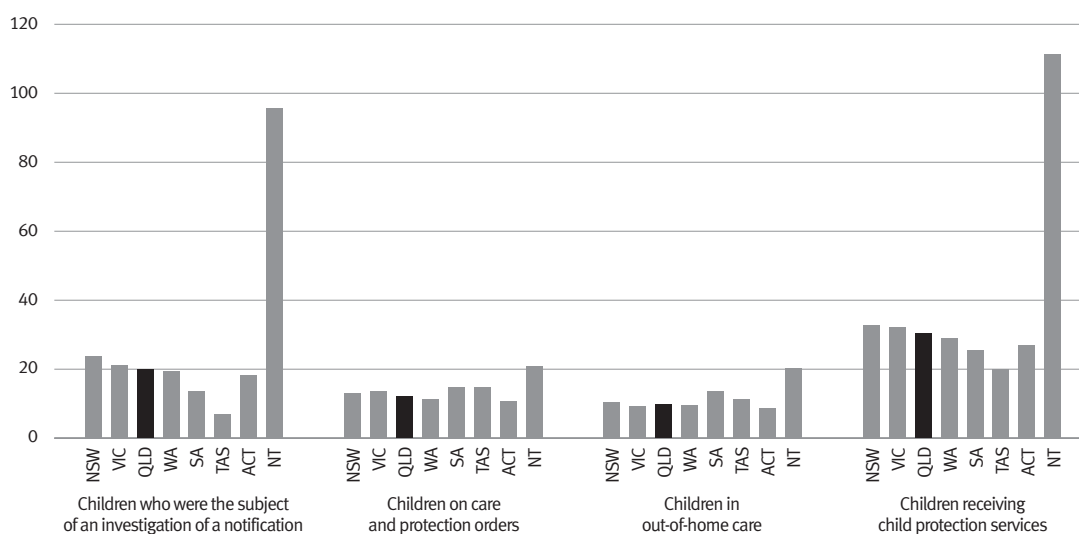
In 2020, there were approximately 55,530 child and family support workers in Queensland.⁴⁹ This includes both secondary and statutory services, in addition to universal services such as health and education.⁵⁰ Some of this workforce includes:

- 1,291 child safety officers employed by the Department of Children, Youth Justice and Multicultural Affairs in Queensland as at 17 June 2022⁵¹
- 5,868 foster and kinship carer families in Queensland in 2020–21⁵²
- one dedicated student protection principal advisor in each of the 7 Department of Education regions⁵³
- 22 Queensland Police Service workers in Suspected Child Abuse and Neglect teams and 640 workers in Child Protection and Investigation Units.⁵⁴

How does Queensland compare?

During 2020–21, more than 178,800 Australian children, including 36,060 Queensland children, received child protection services. The Queensland rate was 30.3 children per 1,000 compared with a national average of 31.6 per 1,000 children (Figure 3). Queensland’s rate per 1,000 children remains slightly behind the national average for the proportion of children: who were the subject of an investigation of a notification; on care and protection orders; and in out-of-home care.⁵⁵

Figure 3: A comparison across Australian jurisdictions of the rate per 1,000 children and young people receiving child protection services (2020–2021)



Source: Australian Institute of Health and Welfare, 2022 Table 2.2⁵⁶

Since 2016–17, rates of children in out-of-home care in Queensland and 4 other states have increased. Rates decreased in New South Wales, Australian Capital Territory and the Northern Territory over the same time period.⁵⁷

What is working well or improving?

- **The number of families volunteering to care for children in care is increasing.** In 2020–21 there were 5,868 carer families, a 4.6% increase from 2019–20.⁵⁸ However, while the number of kinship and foster carer families has increased, these increases have not kept pace with the number of children and young people entering out-of-home care.⁵⁹
- **There are more child safety officers working in Queensland.** The number of child safety officers in the last pay period of the year rose from 1,251 in 2020–21 to 1,291 in 2021–22—an increase of 3.2%.⁶⁰ In addition, the number of funded positions in the frontline child protection and family support workforce has increased. Our study of investment in the frontline child safety workforce found that between 2015–16 and 2020–21, an additional 550.9 frontline Child Safety roles were funded.⁶¹ The Queensland Government has also funded approximately 5,400 positions within non-government organisations that provide secondary services (Family and Child Connect, Intensive Family Support services and Family Wellbeing Services).⁶²
- **There is increased investment in the Queensland statutory systems** recognising the demand as well as the need to improve the quality of services. Investment in out-of-home care increased by 49.6% between 2016–17 and 2020–21. Investment in youth justice increased by 48.6% over the same time period.⁶³
- **The effectiveness of child safety interventions is improving.** Since 2017–18, there has been an increase in the percentage of children who did not experience subsequent substantiations after their initial substantiation (Table 4).

Table 4: *Number (and %) of individual children and young people who did not experience a further substantiation after their first substantiation (FY2017–2021)*

	2016–17	2017–18	2018–19	2019–20	2020–21
No substantiation after first substantiation (within 6 months)	5,501 (88.1%)	5,850 (88.0%)	5,788 (87.0%)	6,231 (88.4%)	6,671 (89.6%)
No substantiation after first substantiation (within 12 months)	5,110 (81.9%)	5,460 (82.2%)	5,422 (81.5%)	5,830 (82.7%)	6,277 (84.3%)

Source: Department of Children, Youth Justice and Multicultural Affairs, 2022⁶⁴

- **Frontline workers see value in the work they do and feel that they receive support from their peers.** Respondents to the QFCC’s 2022 survey of frontline workers agreed their work serves an important purpose (97%), leads to positive change (81%) and gives them a sense of satisfaction (83%).⁶⁵
- **The average caseload of a child safety officer in Queensland has decreased.** On average caseloads have decreased from 20 in 2013–14 to 16.2 for the year ending 31 December 2021.^{a,66} The recommended caseload for child safety officers is 15.⁶⁷ Among respondents to the QFCC’s 2022 survey of frontline workers:
 - 57% agreed their workload was manageable while approximately one third disagreed
 - 63% agreed they received the right amount of professional supervision to do their job well
 - 87% agreed they receive support from their colleagues/peers to do their job well.⁶⁸
- **The rate of entry into statutory systems is decreasing.** Over the last year, the number of children subject to a substantiation and entering out-of-home care has decreased by 2 and 5% respectively. There has also been a 12% increase in the number of children exiting out-of-home care (Table 5).

a Note: From 30 June 2021 onward the caseload calculation methodology changed to reflect the updated Workload Management Policy for child safety officers working with children receiving ongoing support. As such data is not comparable to previous years data.

Table 5: Number (and rate per 1,000) of individual children and young people subject to Department of Children, Youth Justice and Multicultural Affairs interventions during the financial years (FY2018–2021)

	2017–18	2018–19	2019–20	2020–21	Change since 2017–18	Change since 2020–21
Notifications	20,899 (18.1)	22,767 (19.5)	23,273 (19.8)	25,233 (21.2)	20.7% increase	8.4% increase
Substantiations	5,896 (5.1)	6,063 (5.2)	6,551 (5.6)	6,408 (5.4)	8.7% increase	2.2% decrease
Entering out-of-home care	2,382 (2.1)	2,807 (2.4)	3,117 (2.6)	2,958 (2.5)	24.2% increase	5.1% decrease
In out-of-home care	9,074 (7.9)	9,647 (8.3)	10,527 (8.9)	11,065 (9.3)	21.9% increase	5.1% increase
Exiting out-of-home care	1,752 (1.5)	1,786 (1.5)	1,803 (1.5)	2,022 (1.7)	15.4% increase	12.1% increase
Intervention with parental agreement	2,276 (2.0)	2,095 (1.8)	1,988 (1.7)	1,863 (1.6)	18.1% decrease	6.3% decrease

Source: Department of Children, Youth Justice and Multicultural Affairs, 2022⁶⁹

What needs further improvement?

- **Too many families are cycling through the child protection system.** Of the 36,060 Queensland children that received a child protection service in 2020–21, 24,613 (68%) had received a service in a prior year.⁷⁰ There are more children and young people entering the out-of-home care system each year than are exiting the system and since 2017–18, there has been an increase in the number and the rate of children: subject to a notification and in out-of-home care.⁷¹
- **Data collection and reporting around the child protection and family support workforce could be improved.** We lack the data to fully understand how the Queensland workforce compares with other jurisdictions. Workforce data is either not comparable across jurisdictions or is not available.⁷² Publicly available data about the child protection and family support workforce, such as that provided by the New South Wales government, would increase transparency.⁷³ It would also assist understanding how the workforce is supported to provide high quality services to children, for example through professional supervision and training. System-level data related to the secondary services workforce would also provide further insight, particularly in relation to future workload demands.
- **The child protection and family support workforce feels strained.** As part of our study of the workforce, Department of Children, Youth Justice and Multicultural Affairs staff told us that while their caseload has decreased, their workload has increased. Reasons for this included the increasing complexity families are facing, and new processes and systems being implemented.⁷⁴
- **There are ongoing delays between commencing an investigation and sighting a child.** In September 2021, 12 months after the completion of the *Seeing they are Safe: Responsiveness to 5-day and 10-day notifications of child harm in Queensland*⁷⁵ review, the QFCC sought evidence to see whether improvements had been made. While there was variation across Queensland regions, on average it was taking between 2 and 9 weeks to sight the child when the notification was commenced by information only⁷⁶. The most recent data on 5-day and 10-day notifications indicates that the percentage of investigations commenced within the timeframe is higher than in 2017–18 but has dropped since 2020–21.⁷⁷

Theme 3

Are Queensland's out-of-home care and youth justice systems upholding the rights of the children and young people they serve?

This theme relates to the following state and national goals:

State goal 4:

Improving care and post-care for Queensland children and young people

National goal 4:

Strengthening the child and family sector and workforce capability*

* Children and young people who have experienced abuse and/or neglect, including children in out-of-home care and young people leaving out-of-home care and transitioning to adulthood, are a priority group for the National Framework.

The QFCC is committed to leading a children’s rights agenda in Queensland and assisting others to integrate children’s rights into their business. A rights-based approach recognises that decisions should be underpinned by 4 key principles:

- devotion to the best interests of the child
- the right to life, survival and development
- respect for the views of the child
- non-discrimination.

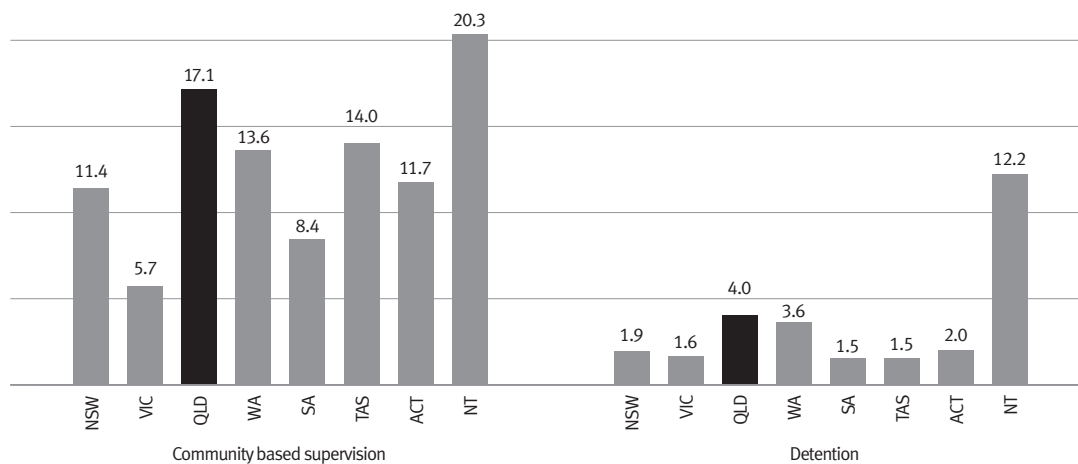
Out-of-home care that is safe and stable can help children and young people recover from experiences of maltreatment. Under the previous national framework, the national standards⁷⁸ were designed to improve the lives of children and young people by focusing on areas that directly influence positive outcomes. They included indicators relating to health, education, connection to family, culture and community, transition from care, belonging and identity, and safety, stability and security. The Australian Institute of Health and Welfare reports annually on available data at the national level. In this section, we report on a selection of recent Queensland data describing the extent to which children in out-of-home care and youth justice systems in Queensland are receiving quality support that upholds their rights.

Many young people with care experiences go on to complete higher education, start families and have successful careers. Overall, however, children in contact with the child protection system are particularly vulnerable to poor outcomes while they are in care and after they have left the system. They are more likely to experience homelessness, criminal justice interventions, unemployment, and worse physical, mental health and educational outcomes.^{79, 80, 81, 82}

How does Queensland compare?

- **Compared to other jurisdictions that reported data, Queensland is leading in assisting children in care to read in year 5.** Queensland has a higher percentage of children in out-of-home care meeting national reading standards compared to other jurisdictions that reported data. In 2019, rates were highest for Queensland (77.2%), followed by Western Australia (71.3%) and South Australia (70.8%).⁸³ The percentage of children with a current education support plan has increased from 55.6% in 2016–17 to 80.9% in 2020–21.⁸⁴
- **Queensland has the second highest rate of youth justice supervision among its children and young people.** During 2020–21, Queensland had the second highest rate of young people in youth justice custody on an average day (4.0 per 10,000) and the second highest rate of young people under community-based supervision on an average day (17.1 per 10,000) behind the Northern Territory (Figure 4).⁸⁵ In total, 1,013 Queensland young people aged 10–17 years were in youth justice custody, including 994 who spent time in unsentenced custody.⁸⁶

Figure 4: A comparison across Australian jurisdictions of the rate of young people aged 10–17 per 10,000 in community-based supervision and youth justice detention (average daily number in 2020–21)



Source: Australian Institute of Health and Welfare, 2021⁸⁷

- **Queensland has the third lowest rate of homelessness service access for children on orders.**⁸⁸ While 1,099 Queensland children who were the subject of a care and protection order accessed specialist homelessness services in 2020–21, this number has dropped by an average of 5.1% each year since 2015–16.
- **Queensland has one of the highest rates of unsentenced detention for children.** In June 2021, 88% of children in Queensland detention centres were unsentenced. The average rate of unsentenced detention in Australia was 72%.⁸⁹ However, it is worth noting that in 2020–21, the number of young people in unsentenced custody in Queensland decreased by 7.3% (Table 6).⁹⁰

Table 6: Number (and rate per 10,000) of children and young people within the Queensland youth justice system (FY2018–FY2021)

	2017–18	2018–19	2019–20	2020–21	Change since 2017–18
Community-based supervision	2,540 (56.6)	2,849 (54.5)	2,541 (48.0)	2,396 (44.7)	5.7% decrease
Unsentenced custody	1,072 (23.9)	1,108 (21.2)	1,006 (19.0)	994 (18.6)	7.3% decrease
All custody	1,098 (24.4)	1,122 (21.5)	1,033 (19.5)	1,013 (18.9)	7.7% decrease

Source: Department of Children, Youth Justice and Multicultural Affairs⁹¹

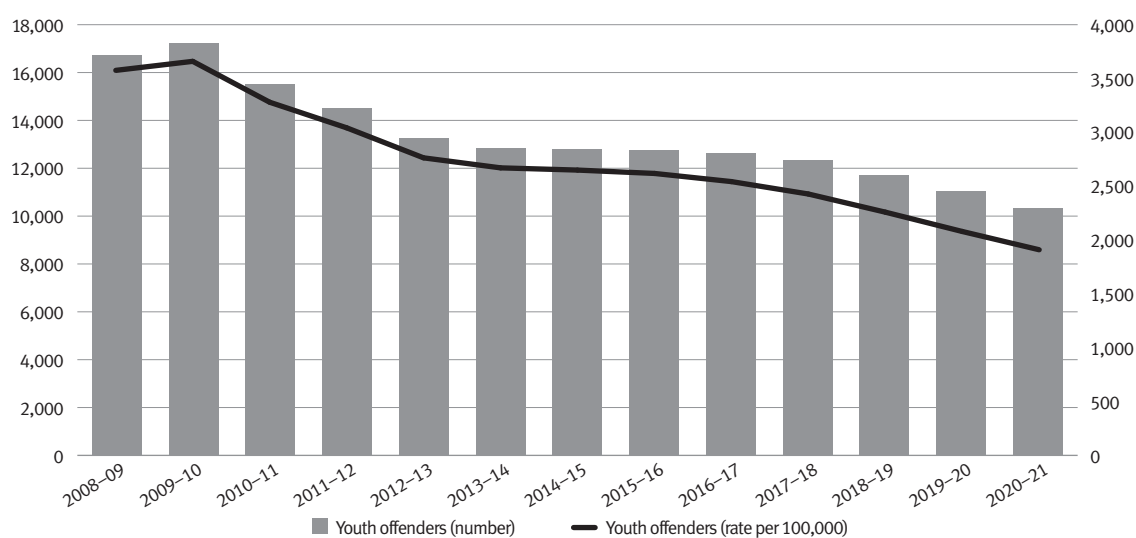
- **Queensland has one of the lowest proportions of children living in home-based care.** When children are not able to remain safely at home, placing them in home-based care is considered to be in their best interests.⁹² In 2021, Queensland had the second lowest proportion of children living in home-based care behind South Australia.
- Between 2016–17 and 2020–21:
 - the ratio of children in home-based care to the number of approved carer families increased from 1.58 to 1.65⁹³
 - the number of children on child protection orders living in residential care almost doubled (96.3% increase) from 644 to 1,264 children.⁹⁴

- **Queensland children and young people in out-of-home care experience more placements than children in many other states.** Between 2019–20 and 2020–21 Queensland saw a slight increase in children exiting care with only one or 2 placements from 42.0% to 44.0%. In 2020–21, across all Australian jurisdictions, Queensland had the third lowest percentage of children exiting care with only one or 2 placements (44.0%). Victoria had the greatest proportion of children exiting with only one or 2 placements (65.4%).⁹⁵

What is working well or improving?

- **The rate of youth offending in Queensland has been steadily decreasing since 2008.** Between 2008–09 and 2020–21 the number of *young offenders proceeded against by police* aged between 10 and 17 years in Queensland decreased from 16,709 to 10,314 (a rate of 3,575.8 per 100,000 persons aged between 10–17 years to 1,909.7) (Figure 5).⁹⁶ The number of children aged 10–13 in contact with the youth justice system is low. In 2020–21 only 549 child defendants had proven offences (charges) in a criminal court.⁹⁷

Figure 5: A comparison of the number of youth offenders aged 10–17 years and the rate per 100,000 persons aged 10–17 years (FY2008–2021)



Source: Australian Bureau of Statistics, 2022⁹⁸

- **There has been an increase in the use of diversionary practices in Queensland.** Between 2018–19 and 2020–21, there was an increase in the number of cautions administered from 12,442 to 13,619 (although the number was higher in 2019–20 (15,428 cautions) and restorative justice conferences for young offenders from 1,866 to 2,295.⁹⁹
- **In January 2022, Government announced more than 200 young people in the youth justice system had graduated from a Queensland Government program that successfully reduces reoffending.** The Transition to Success (T2S) program experienced its largest ever number of graduates following its expansion to 20 locations across the state.¹⁰⁰ The 2022–23 Budget increased funding for Indigenous youth and family workers and family led decision making; to continue the work of the youth co-responder teams, and to expand the multi-agency collaborative panels.¹⁰¹
- **Over the past 5 years, there has been a decrease in the number and the rate of children and young people subject to: community-based supervision and custody, including unsentenced custody.** Between 2017–18 and 2020–21, the rate of distinct young people:
 - in youth justice custody fell from 24.4 to 18.9 per 10,000 young people aged 10–17¹⁰²
 - subject to community-based supervision fell from 56.6 to 44.7 per 10,000 young people aged 10–17.¹⁰³
- **Services are in place to support children in out-of-home care raising concerns.** In 2020–21, the Office of the Public Guardian conducted 38,466 visits to 10,203 children and young people. They raised 16,507 issues and made 125 formal complaints.¹⁰⁴ Frontline worker respondents to our 2022 workforce survey¹⁰⁵ agreed that within their organisation:
 - the views of children and young people are listened to and valued (80%)
 - decisions are made in children’s and young people’s best interests (84%).

- **The Child Protection Act 1999 has been improved to enhance the rights of children.** In May 2022, the Act was amended to ensure children will be genuinely empowered and supported to participate in decisions about their lives and the child protection system. The amendments are designed to:
 - reinforce children’s rights in the legislative framework
 - strengthen children’s voices in decisions that affect them
 - streamline, clarify and improve the regulation of care.¹⁰⁶
- **Support to children leaving out-of-home care is extending.** Government has announced it will support children who exit the out-of-home care system for longer, recognising their continuing parental responsibility to care for children who have been removed from their parents. In June 2022 the government announced that young people leaving care will be supported in their transition to adulthood through a range of new measures commencing in 2023–24. Measures include continuing the carers allowance for 19 to 21-year-olds remaining at home and providing financial support and mentoring for young people aged 18 to 21 leaving non-family-based care.¹⁰⁷
- **The majority of children living in out-of-home care have a health passport.** Over the past 5 years, the proportion of children with a health passport has ranged between 86.3% and 96.9%.¹⁰⁸ Several initiatives have also been developed by Queensland Health to address the reported inconsistency of health care coordination, referrals and checks for children and young people under the child health passport model.¹⁰⁹
- **The number of children in care receiving NDIS support is increasing.** Many children in contact with the Department of Children, Youth Justice and Multicultural Affairs receive NDIS support. As at 30 June 2021, 2,541 Queensland children (26.9%) in out-of-home care had a disability.¹¹⁰ Furthermore, 2,262 children subject to an ongoing intervention with the Department (either a child protection order or intervention with parental agreement) had an NDIS support plan.¹¹¹

What needs further improvement?

- **School suspension rates are markedly higher for children living in out-of-home care.** One per cent of Queensland state school students (5,692 students in 2021) live in out-of-home care. Between 2017 and 2021, rates of student disciplinary absences increased from:
 - 7.0% to 7.3% among children who were not in care
 - 23.4% to 24.9% among children living in out-of-home care.¹¹²
- **Academic performance is markedly lower for children living in out-of-home care.** In 2021, 72.1% of Queensland state school year 5 students on child protection orders met national reading standards compared with the year 5 average of 92.6%. Between 2017 and 2021 the percentage of year 5 students in out-of-home care reaching national reading standards ranged between 72.1% and 78.2%.¹¹³
- **Unaddressed, significant adversity remains a precursor to youth justice exposure.** In 2020–21, 10 to 17-year-olds from the lowest socio-economic areas were five times more likely to be under youth justice supervision than those from the highest socio-economic areas.¹¹⁴ In 2021, a total of 1,642 young offenders were surveyed in the Youth Justice Census. Of these:
 - 52% were disengaged from education, training or employment
 - 51% had experienced or been impacted by domestic and family violence
 - 32% had been living in unstable and/or unsuitable accommodation
 - 31% had at least one parent who spent time in adult custody
 - 15% had a disability (assessed or suspected), including 14% who had a cognitive or intellectual disability
 - 18% had an active Child Protection Order
 - 45% had at least one mental health or behavioural disorder (diagnosed or suspected).¹¹⁵
- **While most children living in out-of-home care are safe, a number experience additional harm.** Between 2016–17 and 2020–21, the proportion of children with substantiated harm reports remained around 2%. In 2020–21, 227 children in out-of-home care experienced harm.¹¹⁶ Since November 2018, the Queensland Government has been a participating institution in the National Redress Scheme (the Scheme). In June 2022, the Commonwealth Government, who lead the Scheme, confirmed it had provided payments to applicants totalling more than \$748 million through the Scheme for historical institutional child sexual abuse. In the same period, the Queensland Government had linked 156 people, who had accepted an offer of redress through the Commonwealth, with access to counselling and psychological care services.¹¹⁷
- **Frontline child safety workers express concern that the system is not meeting the needs of children.** Across all QFCC surveys of frontline workers, the majority of respondents consistently disagreed that the child protection and family support system met the needs of children, young people and families. This trend has continued in our most recent survey in 2022, with 61% disagreeing, compared with 16% agreeing.¹¹⁸

Theme 4

Are Queensland's out-of-home care and youth justice systems meeting the needs and upholding the rights of Aboriginal and Torres Strait Islander children, families and communities?

This theme relates to the following state and national goals:

State goal 5:
Meeting the needs of Aboriginal and Torres Strait Islander children, families and communities

National goal 2:
Addressing the over-representation of Aboriginal and Torres Strait Islander children in child protection systems

The theme also examines 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.

The QFCC recognises the rich and resilient cultures that continue to sustain and strengthen Aboriginal and Torres Strait Islander peoples. We respect the right to self-determination and the importance of continuing connection to kin, Country and culture in the lives of Aboriginal and Torres Strait Islander peoples. We also recognise the significant disparities and challenges experienced by Aboriginal and Torres Strait Islander peoples. First Nations children and families continue to be disproportionately represented in statutory child protection and youth justice systems in Queensland and across Australia. The QFCC is committed to identifying and highlighting the dynamics and drivers of this over-representation, and helping others understand and address the causes.

How does Queensland compare?

Over the past 3 years, the extent to which Aboriginal and Torres Strait Islander children are over-represented in out-of-home care has worsened in every Australian state and territory.¹¹⁹ The disproportionality ratio^b for Aboriginal and Torres Strait Islander children in out-of-home care in Queensland in 2020–21 was 5.5. This means that there were 5.5 times more Aboriginal and Torres Strait Islander children in out-of-home care in Queensland than expected based on the proportion of First Nations children in the population. This disproportionality ratio was higher than Tasmania (3.6) and Northern Territory (2.2) but lower than all other states (Table 7). Across every state and territory, the disproportionality ratio was higher in 2020–21^c.

Table 7: Disproportionality ratios for Aboriginal and Torres Strait Islander children aged 0–17 years in out-of-home care across Australian jurisdictions (FY2017–2021)

	NSW	VIC	QLD	WA	SA	TAS	ACT	NT
2020–21	6.7	16.0	5.5	8.6	7.6	3.6	9.4	2.2
2019–20	6.5	15.8	5.4	8.5	7.6	3.4	10.0	2.1
2018–19	6.3	15.0	5.4	8.1	7.3	3.3	9.4	2.2
2017–18	6.2	14.5	5.1	8.2	6.9	3.0	10.3	2.2
2016–17	6.0	11.8	5.1	8.1	6.9	2.6	9.1	2.1

Source: Productivity Commission, 2022 Table 16A.9¹²⁰

b Disproportionality refers to when representation of a particular group is higher than it should be by statistical standards. If the cohort’s representation is proportionate to their representation in the target population, the disproportionality ratio will equal 1.0.
 c From 2018–19 the scope of out-of-home care changed. This means that in some jurisdictions disproportionality ratios for out-of-home care from 2018–19 are not comparable with data for previous years.

Disproportionate representation does not occur in isolation. Aboriginal and Torres Strait Islander children and young people's experiences within the child protection system are affected not only by the child protection system itself but also by their interactions with other systems and services. Australia's National Agreement on Closing the Gap outlines targets to reduce inequality around a range of outcomes for Aboriginal and Torres Strait Islander people with a target end date of 2031.¹²¹ Reducing disproportionate representation in child protection is one of the agreement's 17 socio-economic outcome areas. Other targets relate to early childhood, schooling, health, economic participation, housing, safe communities, and disproportionate representation in youth justice.¹²² Addressing these inequalities is a human rights issue.¹²³ Ensuring the rights of Aboriginal and Torres Strait Islander children are upheld will go some way to address the lack of equity in their outcomes.¹²⁴

In 2018, Queensland became the first state to embed the 5 elements of the ATSI CPP in legislation.

The Aboriginal and Torres Strait Islander Child Placement Principle (ATSI CPP) was developed in recognition of the devastating effects of forced separation of Aboriginal and Torres Strait Islander children from their families, communities and culture. It has 5 inter-related elements: prevention, partnership, placement, participation, and connection.¹²⁵ There is an emerging body of work being undertaken at both the state and national level to develop indicators to measure the progress of ATSI CPP implementation.^{126, 127} Current measures reported at the national level solely assess the placement and connection elements.¹²⁸ Further development of measures of prevention, partnership and participation is needed.

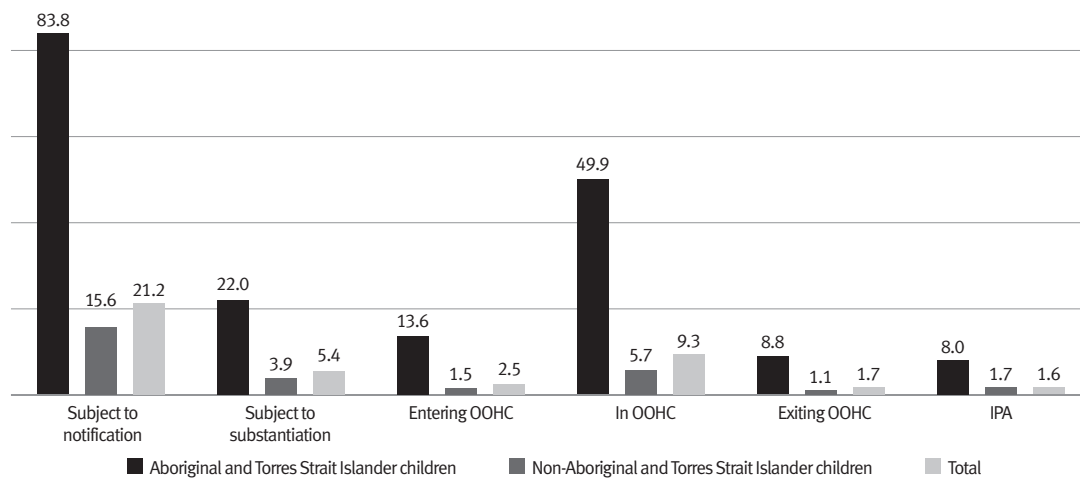
What is working well or improving?

- **The legal definition of kin has been amended** so that Aboriginal and Torres Strait Islander children can be placed with people who are regarded as kin if they have a legitimate cultural connection to the child. On 10 May 2022, amendments in the *Child Protection Act 1999* passed parliament.¹²⁹
- **There have been improvements in infant mortality, readiness for school, housing and the use of police diversions**, but there is an ongoing and significant gap between Aboriginal and Torres Strait Islander and non-Indigenous children.
 - According to the Australian Early Development Census (AEDC), between 2009 and 2021 the rate of Aboriginal and Torres Strait Islander children in Queensland who were developmentally on track to start school has risen from 21.5% to 33.8%. In 2021 this compared with 53.2% of non-Indigenous children in Queensland. The gap between Aboriginal and Torres Strait Islander children and non-Indigenous children has remained consistent across the past 5 AEDC censuses.¹³⁰
 - The infant mortality rate in 2020–21 in Queensland was higher for Aboriginal and Torres Strait Islander infants than non-Indigenous infants (6.5 versus 3.5 per 1,000 births). However, the annual rate of Aboriginal and Torres Strait Islander infant deaths has been decreasing, on average, by 4.6% per year since 2007 versus a reduction of 2.9% for non-Indigenous infants.¹³¹
 - The rate of Aboriginal and Torres Strait Islander Queenslanders living in appropriately sized (not overcrowded) dwellings increased from 74.6% in 2011¹³² to 81.2% in 2021.¹³³ However, the rate of appropriately sized dwellings was much higher for non-Indigenous Queenslanders (94.6% in 2016).
- **Family Wellbeing Service funding is empowering families to work with Aboriginal community-controlled organisations to keep children out of the statutory system.** In March 2022 the government announced that 20,510 First Nations families have received culturally appropriate support from these services since 2016.¹³⁴
- **When Aboriginal and Torres Strait Islander children are reunified with their families, it is usually successful.** The number of reunifications has been consistent over time—195 in 2016–17, 203 in 2017–18, and 173 in 2018–19.¹³⁵ In 2019–20, 194 Queensland Aboriginal and Torres Strait Islander children were reunified with their families (around 4.3% of all children in out-of-home care) and 172 (88.7%) did not return to care within 12 months.¹³⁶

What needs further improvement?

- There is clear evidence of continuing disproportionate representation of Aboriginal and Torres Strait Islander children within the Queensland child protection system. Aboriginal and Torres Strait Islander children and young people account for around 8.2% of all children in Queensland but they constitute approximately 44% of all children in care.¹³⁷ Figure 6 demonstrates the disproportionate representation of Aboriginal and Torres Strait Islander children at various stages of the child protection system.

Figure 6: Rates per 1,000 children and young people at various stages of the Queensland child protection statutory system, by Aboriginal and Torres Strait Islander status (2020–21)



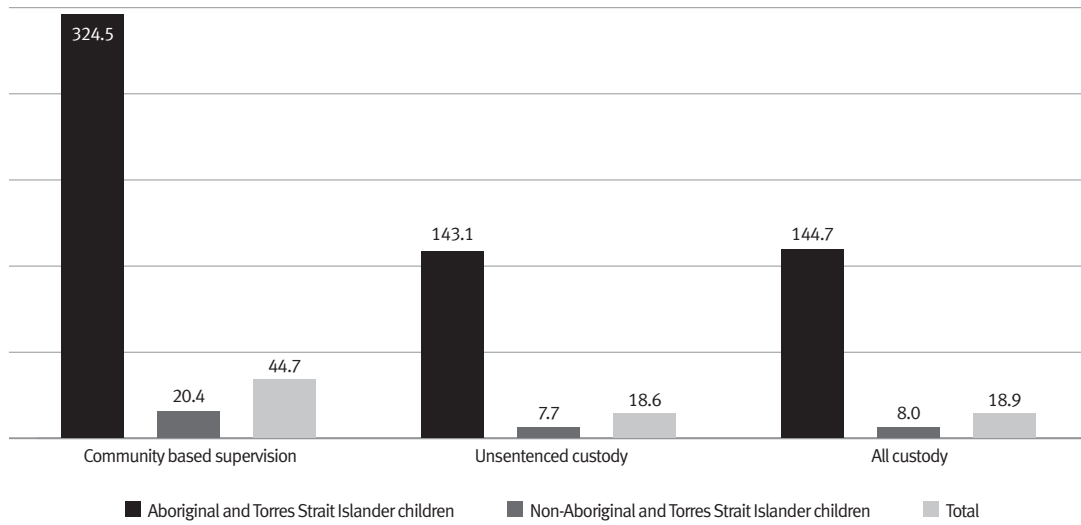
Source: Department of Children, Youth Justice and Multicultural Affairs, 2022¹³⁸

- The number of Aboriginal and Torres Strait Islander children entering care continues to exceed the number exiting. Between 2017–18 and 2020–21, the total number of Aboriginal and Torres Strait Islander children:
 - being discharged from out-of-home care increased by 16.6% from 741 to 864¹³⁹
 - entering out-of-home care increased by 39.9% from 948 to 1,326.¹⁴⁰

In 2020–21 in Queensland, for every Aboriginal and Torres Strait Islander child who was discharged from out-of-home care, 1.5 children were admitted.¹⁴¹

- Aboriginal and Torres Strait Islander children living in out-of-home care are more likely to be placed with carers with no family connection to them than with kin or with Aboriginal and Torres Strait Islander carers. As at 30 June 2021, 2,170 Aboriginal and Torres Strait Islander children and young people in out-of-home care were placed in kinship care (44.4%), 2,125 in foster care (43.5%) and 587 in residential care (12.0%). Of those in foster care, three-quarters were placed with non-Indigenous carers. Of those in residential care, 9 out of 10 were placed in non-Indigenous facilities.¹⁴²
- The disproportionate representation of Aboriginal and Torres Strait Islander children and young people in the Queensland youth justice system is ongoing (Figure 7). Despite comprising around only 8% of all children aged 10–17 years in Queensland, in 2020–21, Aboriginal and Torres Strait Islander children accounted for 46% of all child defendants who had a charge finalised in a Queensland court.¹⁴³ Figure 6 demonstrates the disproportionate representation of Aboriginal and Torres Strait Islander children within the Queensland youth justice system.

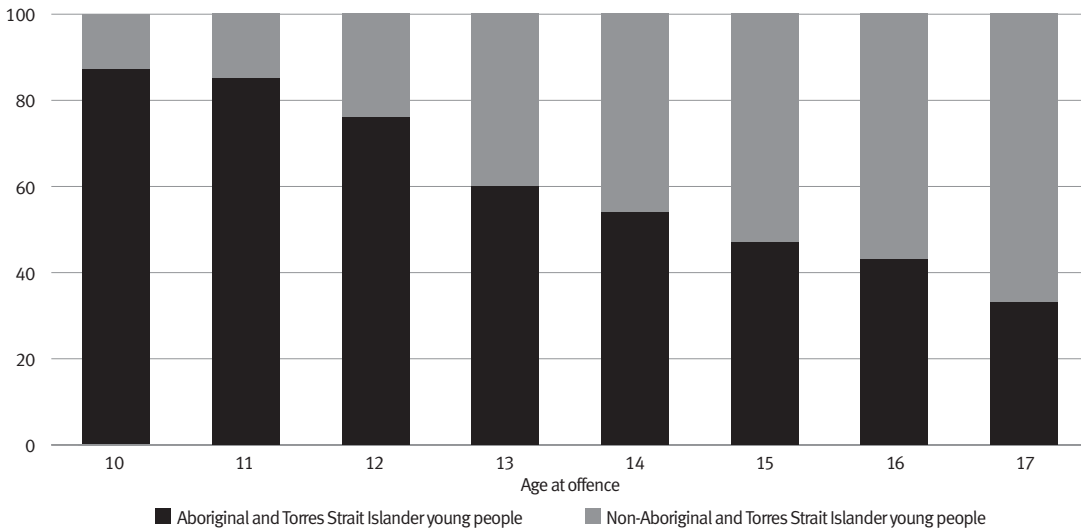
Figure 7: Rates per 10,000 distinct young people involved with the Queensland youth justice system, by Aboriginal and Torres Strait Islander status (2020–21)



Source: Department of Children, Youth Justice and Multicultural Affairs, 2022¹⁴⁴

- Disproportionate representation is highest for younger Aboriginal and Torres Strait Islander defendants.**
 In 2020–21, 87% of 10-year-olds, 85% of 11-year-olds, 76% of 12-year-olds and 60% of 13-year-old defendants were Aboriginal and Torres Strait Islander children (Figure 8).¹⁴⁵ By comparison with non-Indigenous children, 10 to 13-year-old Aboriginal and Torres Strait Islander children are 61 times more likely to be under community-based supervision and 50 times more likely to be in detention.¹⁴⁶ Of children who spent time in detention, on average, Aboriginal and Torres Strait Islander children were detained for 88 nights versus 79 nights for non-Indigenous children.¹⁴⁷

Figure 8: A comparison of the Aboriginal and Torres Strait Islander status of distinct child defendants and age at offence (2020–2021)



Source: Children's Court of Queensland, 2021¹⁴⁸

- Aboriginal and Torres Strait Islander children are less likely to be diverted from the youth justice system.**
 Where appropriate, children in conflict with the law should be dealt with, without judicial system intervention.¹⁴⁹ Police can deal with offenders using either court actions (laying charges that must be answered in court) or non-court actions (such as cautions, conferencing or issuing fines). The rate of proceedings by police against young people using court action dropped for Aboriginal and Torres Strait Islander young people from 75.8% of all proceedings in 2018–19 to 72.0% of proceedings in 2020–21. However, over the same period, the rate for non-Indigenous young people dropped from 53.7% to 48.0%.¹⁵⁰

Theme 5

Is the Queensland child protection and family support system a collaborative and accountable system?

This theme relates to the following state and national goals:

State goal 1:

Sharing responsibility for the safety and wellbeing of Queensland children

National goal 4:

Improved information sharing, data development and analysis

State goal 7:

Building and maintaining an accountable, transparent and cost-effective system

To ensure the successful implementation of reforms and overall system improvement, there must be shared responsibility and governance.¹⁵¹

The Supporting Families Changing Futures 2019–23 strategy notes the importance of shared governance, stating: ‘Together with our sector and community partners, all relevant government agencies are working together to continuously improve connected services and systems to better support families through the Interdepartmental Committee.’¹⁵²

The importance of building and maintaining an accountable, transparent and cost-effective system is also noted: ‘Over the next 5 years we will consolidate on what we’ve built. Taking what our partners, families, children and young people are telling us and using evidence, we will refine, improve, strengthen, enhance and hone our responses. By doing this, we will create a more efficient and effective system that puts families, children and young people experiencing vulnerability at its centre and help them to thrive and excel in their lives.’¹⁵³

How does Queensland compare?

Queensland has a strong child and family support sector. There are many organisations operating to provide advocacy and frontline support to children and their families. Queensland led the Australian move towards collective impact through its delivery of the Logan Together model, and it is now continuing to demonstrate strong collaborative practice through emerging new models such as the Thriving Queensland Kids Partnership (TQKP). TQKP is a cross-sectoral ‘coalition of the willing’ made up of tertiary, not-for-profit, government, and philanthropic bodies committed to making a difference through ‘systems work’ that takes ‘science to service’. In May 2022 the TQKP attracted \$7 million in philanthropic funding to continue its work to:

- advance the health, development, safety and wellbeing of all Queensland children and young people,
- disrupting disadvantage, adversity and insecurity, and
- building capabilities, connections and resilience.¹⁵⁴

Queensland also has an active Prevention Alliance, focussed on the role that different sectors, communities and individuals have in keeping children safe and thriving. The Alliance brings together key government, non-government, community groups and the private sector across the community to focus on primary prevention strategies and includes representatives from yourtown, ARACY/TQKP, Act for Kids, QFCC, PeakCare, Every Child, Clubs Qld, QATSICPP, Qld Human Rights Commission and Stand By You Foundation/Westfield Australia partnership.

Consistent with other Australian jurisdictions, Queensland is upgrading its data collection and information sharing capabilities. In Queensland, the Department of Children, Youth Justice and Multicultural Affairs is currently updating its Integrated Client Management System. The new client-centric system should improve information sharing and collaboration across Queensland government agencies.¹⁵⁵ A desktop review across jurisdictions found examples of technology being used to support information sharing and governance for the safety and wellbeing of children. For example, the Victorian *Child Information Sharing Scheme* facilitates information sharing across organisations to support the wellbeing and safety of children and young people aged 0–18 years.¹⁵⁶ Complementing the scheme, *Child Link* supports information sharing through a web-based platform that shows information about a child to authorised professionals responsible for the wellbeing and safety of a child or young person.¹⁵⁷

Consistent with other Australian jurisdictions, Queensland continues to undertake evaluations of the impact of the programs and services it delivers. A desktop review of child protection system evaluation found all jurisdictions have undertaken reviews and evaluations, often in isolation from each other, and findings are not consistently shared. In our study *Learning from evaluations*,¹⁵⁸ we found that there were several implementation evaluations early in Queensland's reform period. However, over time, the number of evaluations decreased. The study highlighted the need for continuous action: 'Now that reform initiatives have had time to become more established, agencies need to determine whether they are achieving what they set out to achieve.' In our *Measuring what matters* report, we noted that while there was some evidence of system improvements, for example using evaluations to inform future service delivery, the Queensland system is not always acting on evaluation findings.¹⁵⁹

What is working well or improving?

- **There is increasing transparency about the performance of the statutory child safety system.** The Department of Children, Youth Justice and Multicultural Affairs has recently updated the *Our Performance* website, which provides data visualisations for several administrative data points they collect, including the average caseload of child safety officers.¹⁶⁰
- **Steps are being taken to improve self-determination through the implementation of Delegated Authority arrangements.** Commencing in 2022, the Queensland Government has commenced trialling Delegated Authority, a process whereby Aboriginal and Torres Strait Islander community-controlled organisations make decisions regarding children in their communities.¹⁶¹ Preliminary feedback from our stakeholders suggests the trials are having a positive impact for Aboriginal and Torres Strait Islander children, families and communities.
- **There has been concerted effort to improve cross-portfolio coordination for individual children.** A number of governance groups have been tasked with leading components of the child and family sector agenda including:
 - The youth justice taskforce led by the Queensland Police Service is focused on building intensive multi-agency case management of high-risk repeat youth offenders.¹⁶²
 - The QFCC's Child Death Review Board conducts systemic reviews following the death of a child connected to the child protection system under Part 3A of the *Family and Child Commission Act 2014*.¹⁶³
 - Domestic violence high risk teams led by the Attorney-General's department will enhance responses to domestic and family violence through time-critical information sharing, safety management for victims and increased line of sight of high-risk perpetrators.¹⁶⁴
 - Supported by DCYJMA, the Queensland First Children and Families Board made up of eminent and respected Aboriginal and Torres Strait Islander community leaders from across the state, continues to provide strategic guidance and oversight for the implementation of the *Our Way* strategy, to eliminate the disproportionate representation of Aboriginal and Torres Strait Islander children in Queensland's child protection system.¹⁶⁵
 - The *Our Way* Interagency Strategic Partnership group, led by DCYJMA, including Deputy Directors-General from relevant government agencies, continues to foster collective action across government to eliminate the disparity of First Nations children and families in child protection in Queensland to achieve the *Our Way* vision and targets.
- **Queensland's child protection and family support sector is committed to information sharing and collaboration.** There are many examples of effective collaboration and local level leadership within the Queensland child protection and family support sector. The QFCC's 2022 survey of frontline workers found 82% of respondents agreed that their workplace has a culture that supports collaboration with other organisations to achieve client outcomes.¹⁶⁶

What needs further improvement?

- **Queensland can improve its ownership of a robust, whole-of-government child and family policy agenda.** In our *Measuring what matters* report, we noted a gap in central governance following the cessation of the Interdepartmental Committee in May 2021.¹⁶⁷ Prior to 2021, the Interdepartmental Committee undertook a central role in the governance of Queensland’s child protection and family support system. In 2021, the Queensland Audit Office (QAO) concluded that the Interdepartmental Committee should have an increased role in the leadership and governance of the system.¹⁶⁸
- **There are opportunities for Queensland to become more involved with cross-government and national data linkage initiatives.** As stated within the current national framework, ‘Better sharing and linking of data across different levels of government and with non-government organisations can improve our understanding of children and young people’s experience of child protection and other service systems and of the service design and models that are required.’ Many data linkage activities have been carried out at the state and federal level linking outcomes data from children and young people in the out-of-home care system with other administrative data.¹⁶⁹ The Australian Institute of Health and Welfare also collates data at the national level about children and their experiences of childhood.¹⁷⁰ Such exercises can improve our understanding of outcomes for children both within the system and after they leave.