

Introduction

This report is the third of four monthly reports by the Queensland Family and Child Commission (QFCC) regarding the review into residential care which is being undertaken by the Department of Child Safety, Seniors, and Disability Services. This report captures the activities undertaken in October.

The QFCC's role in this review is to provide independent oversight of the review process and provide strategic, independent advice to government regarding the outcomes and findings of the review to inform the development of the *Queensland Roadmap – A contemporary care system for Queensland: Review of Residential Care*. For further details regarding the design of the department-led review or the QFCC's oversight, refer to our previous monthly reports published on [the QFCC website](#).

Activities this month

Closure of written submissions

Submissions to the department via the online platform closed on 29 September 2023. Fifty-one written submissions were received. The department will now complete a thematic analysis on the submissions and code this against the lines of enquiry outlined in the terms of reference. The outcomes will be provided to the QFCC as part of the reporting package. The QFCC has been contacted by three service providers requesting to tender a late submission and seeking assistance from the Commission. The QFCC has offered assistance to provide a submission.

Ministerial Roundtable

More than 80 representatives from service providers, organisations, peak bodies, and government attended the Ministerial Roundtable on 28 September 2023.

The Roundtable was a milestone in the review process, providing an opportunity for service providers and government to consider the data that came from the regional consultations and for attendees to deliver submissions directly to The Honourable Craig Crawford, Minister for Child Safety and Minister for Seniors and Disability Services.

Representatives discussed and synthesised the information gathered over the previous three months from the sector and frontline forums.



Participants were provided an opportunity to hear first-hand accounts from individuals directly involved with the residential care system. The group heard from two young people who lived in the residential care system, a First Nations departmental representative, a manager within the department, and a youth worker

who discussed the practice perspective from service providers. These first-hand accounts reminded participants of the very real and significant human and resource impacts a system can produce and kept the conversation child focused.

The Roundtable overview summarised the key messages heard throughout the regional forums and site inspections. These messages reflected concerns with the current Blue Card system and the barriers posed for kinship caring arrangements, the need for children and young people to continue to be involved in decisions made about them and their placements, and the need for intentional investment in family finding to promote kinship placements and avoid children coming into residential care placements.



The Roundtable highlighted emerging themes of the review, which were tabled in break-out workshop discussions for further exploration. These workshop discussions were held in smaller groups and facilitated by Luke Twyford, Principal Commissioner of QFCC, Tom Allsop, CEO of PeakCare, and Garth Morgan, CEO of Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP). The workshop brought these conversations to the wider group in a facilitated listening environment, focused on the following key areas:

1. the voice of the child
2. boosting family-based care
3. boosting capability in the sector
4. improving residential care service quality
5. empowering Aboriginal and Torres Strait Islander communities
6. working in partnership for quality (strengthen system governance, accountability, and risk).

“We’ve been building a better compliance system – not a care system.”

“Resi services are a bunch of organisations that don’t collaborate.”

“Child protection is a jail sentence for kids who are paying the price for their parent’s shortcomings.”

“The current model is built around a crisis response.”

Voices of young people

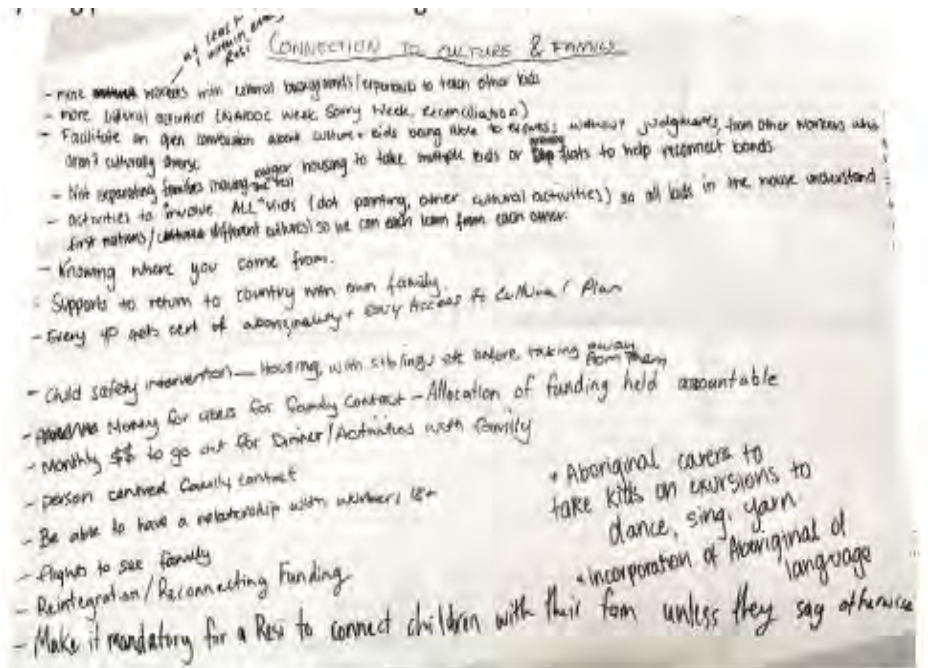
In October, the QFCC hosted two consultation sessions with young people, which provided a forum for them to share their experiences of residential care and provide their thoughts and ideas for the future of the system. These forums were facilitated by sector partners and attended by young people from across the state. The views and perspectives of the young people are captured in a report, [“I was raised by a checklist”, which is available on the QFCC website.](#)



The intention of these forums was to provide a space for young people to share their ideas about the improvements needed for the residential care system and engage in solutions-mapping with the QFCC Principal Commissioner and CEO of PeakCare. The meeting lasted seven hours and we were honoured that young people were willing to give their time and share their stories and insights to help make a difference for children who will experience residential care in the future. Their passion to create change was inspiring and a reminder of what can be achieved if we actively listen to the voices of young people in shaping systems that impact their lives. It was a profound and powerful event.

The participants included a diverse group who had lived in residential care across Queensland, including in Toowoomba, Mooloolaba, Rockhampton, Cairns, and Brisbane.

The stories shared by the young participants were raw and heavy but important for shaping this journey towards an improved approach to out-of-home care for Queensland’s children and young people. Although some experiences described a broken system, the message of optimism from these young people could not have been clearer. These young people each shared some of the toughest moments of their lives with strangers and trusted us to take their stories to help build a better system for children all over the state.



The department has confirmed the *My Life in Care* survey is open until 30 November 2023. Initial survey results will be included in the synthesis of evidence available to inform the review. Sector communiques have been distributed to providers encouraging staff to support children and young people to undertake the survey, and incentives to complete the survey have been offered in the form of gift cards.

The Create Foundation provided two submissions. The first was dated 6 September and was informed by their Youth Advisory Group. The second was dated 10 October and circled back to the young people after the Roundtable event to build on their initial submission. This activity was undertaken by Create as part of its existing work plan under its long-term contract between the department and Create Foundation (i.e., Create was not commissioned separately to participate in the residential care review). The two Create reports will be included in the synthesis of evidence available to inform the review. This will be provided to QFCC as part of the report to support our oversight role.

Since hearing from young people, the QFCC has explored the ideas raised regarding their desire to be mentors or support for other young people in residential care.

Written submission from Commissioner Natalie Lewis

QFCC Commissioner Natalie Lewis provided a written submission to the review on 5 October 2023, focusing on three key areas of the system that are integral to young people's experiences with residential care. These are:

- **Principle of best interests:** Children and young people have previously shared their experiences with the QFCC about being in residential care. This included feelings of being stigmatised and labelled as 'misbehaving children', and how this created lasting impacts on the way they perceived themselves. The reality for many of these children is they are dealing with the impacts of trauma from previous experiences of abuse and neglect. Children living in residential care have a right to be cared for in a way that recognises the impacts of their trauma and responds in a way that helps them recover to live their fullest lives. The best interests principle within the *Child Protection Act 1999* emphasises the importance of maintaining family connection and keeping children and young people within their families or kinship networks whenever possible. Every child is unique, and their needs and circumstances should be individually assessed and addressed. A diverse range of care options is needed to truly uphold the best interests of children.
- **Participation of children and young people:** The QFCC acknowledges the recent amendment to the *Child Protection Act 1999* establishing the right of children and young people to be consulted on, and to take part in, decisions that affect their lives, including about their health, education, living arrangements and contact with family. Through our Rights, Voices, Stories project, we heard that what matters most to children and young people with experience in the child protection system is identity, stability, health, and wellbeing, feeling safe and loved, and being treated with equity and fairness. Being able to participate in decision-making allows children and young people to have agency in their lives and exercise their rights. To ensure meaningful participation, children and young people must feel safe to express themselves freely.
- **First Nations children and young people:** The statistical trends in Queensland show that Aboriginal and Torres Strait Islander children and young people are being placed in residential care at an increasing rate and at a younger age than non-Indigenous children and young people. The QFCC's 2021 paper *Principle Focus: A child-rights approach to systemic accountability for the safety and wellbeing of Queensland's First Nations children* ([available on the QFCC website](#)) presented data about the experience of children and young people in out-of-home care. The Principle Focus paper found that, despite the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) being enshrined in the Act, there is limited evidence of its consistent implementation to a standard of 'active efforts at significant decision points' for First Nations children. This finding prompted a further review to analyse the decision to place an Aboriginal and Torres Strait Islander child or young person in residential care and examine the implementation of the Placement Principle to a standard of 'active efforts' at the decision point of the

placement. The QFCC review found that while there is sound reflection of the intent of the ATSI CPP in legislation and policy, the implementation of the principles in practice is not consistent across the Queensland child protection system.

The full submission is available via the QFCC website [QFCC Submission Queensland Residential Care System Review October 2023 Redacted.pdf](#)

Observation of Child Safety Funding Panels

Throughout October, QFCC staff were invited to attend Child Safety Regional Panels to observe how local offices were conducting reviews of the cases of children in residential care. The purpose of the panels was to review the progress of the case plan for the child with consideration given to their current placement and future goals. The panels specifically review the funding plan for the child's placement and consider their needs, including staffing ratios and transport.

Across each region, these panels have a tailored focus with some panels specifically reviewing young children under the age of 12, others focussing on single residence households, and all panels reviewing any children who have exited residential care. The panel discussions about exits from residential care considered the reunification goals of the child. We heard of cases where children had exited from residential care to return to family, to enter kinship care, or to reside with siblings.

Attending these panels was a worthwhile experience for the QFCC in observing real-time decision-making about residential care placement decisions and review periods. What stood out was the system's efforts to bring together discussions about children's needs and provider funding and how difficult it is to connect these two systems without concerted and regular effort.

Next Steps in the Review

In November, the department will synthesise the information it has received and collected throughout the review, and it will commence development of the 'Roadmap for Contemporary Residential Care in Queensland' (the Roadmap) to be delivered for Minister Crawford's consideration in December 2023.

The Roadmap is a profound opportunity to document the desired change that Queensland seeks within the out-of-home care system. I am hoping that over the next month, the review team will embrace the feedback and innovations that have been collected and assess these against the economic and social cost models that underpin the design of government services. There is substantial return on investment to be made across a reform to the multi-billion-dollar residential care industry. The department must now contemplate and present a roadmap to reform.

A critical question for me in my role providing independent oversight to the review is around the extent to which a system can reform itself. I am reminded to repeat the words of PeakCare's Tom Allsop, who provided this written statement in response to what he heard from young people with lived experience:

"The Queensland residential care review will succeed if those with the authority to act rise to the occasion and embrace this opportunity with the openness and energy it deserves. It will succeed if the system designed to protect children and young people listens to them, rather than speaks for them. It will succeed if those empowered to make the required changes are brave enough to share their power and resilient enough to remain committed in the face of the inevitable setbacks that these changes will bring.

What I took away from this session was a clear understanding that we have a system which has evolved

to protect itself at the expense of the children, young people and families it was intended to support and protect. We have a system that has evolved to devalue relationships and relational permanence as a key driver of quality care. We have a system that has bureaucratised caregiving to such an extent that children and young people now must adapt to meet the needs of narrowly defined funded services, rather than services being adaptable to best meet the needs of children and young people over time.”

In the next 12 weeks, the system has a clear opportunity to embrace change and articulate its own pathway forward.