



**OFFICE OF THE ABORIGINAL
AND TORRES STRAIT ISLANDER
CHILDREN'S COMMISSIONER**

SUBMISSION TO THE EDUCATION, ARTS AND COMMUNITIES COMMITTEE

**EDUCATION (GENERAL PROVISIONS)
AMENDMENT BILL 2025**

Commissioner Natalie Lewis,

Office of the Aboriginal and Torres Strait Islander Children's Commissioner

Queensland Family and Child Commission

April 2025

ACKNOWLEDGEMENT OF COUNTRY

The Office of the Aboriginal and Torres Strait Islander Children's Commissioner acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Custodians across the lands, seas and skies where we walk, live and work.

We recognise Aboriginal and Torres Strait Islander people as two unique peoples, with their own rich and distinct cultures, strengths and knowledge. We celebrate the diversity of Aboriginal and Torres Strait Islander cultures across Queensland and pay our respects to Elders past, present and emerging.

We acknowledge the important role played by Aboriginal and Torres Strait Islander communities and recognise their right to self-determination, and the need for community-led approaches to support healing and strengthen resilience.

**Office of the Aboriginal and Torres Strait Islander Children's Commissioner
Queensland Family and Child Commission**

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KEY ISSUES

- Senior education staff should be delegated the ability to notify students and parents about suspension decisions to ease capacity issues for principals and ensure timely communication about the decision.
- The removal of regulatory red tape should not diminish the provision of quality education for children and young people which includes student and parent participation in decision-making about Student Disciplinary Absences (SDA).
- Sustainable systemic efficiency would be achieved through co-ordinated action from multiple portfolios to promote and protect the rights of children and young people.

ENABLING PRINCIPALS TO DELEGATE THE NOTIFICATIONS OF SUSPENSION DECISIONS

I support the proposal to allow a senior staff member other than the principal to inform students about a suspension decision. It is essential that the student and parent or carer are told about such a decision as quickly as possible. All such notifications must also include an explanation of the reasons for the decision, advice about how the student’s learning will be maintained while they are suspended, and how the student’s reintegration will be supported upon their return to school.

I am disappointed the Bill does not include broad reform of the SDA process, to include a range of non-punitive alternatives for students struggling in the classroom and an emphasis on building safe and supportive learning environments.

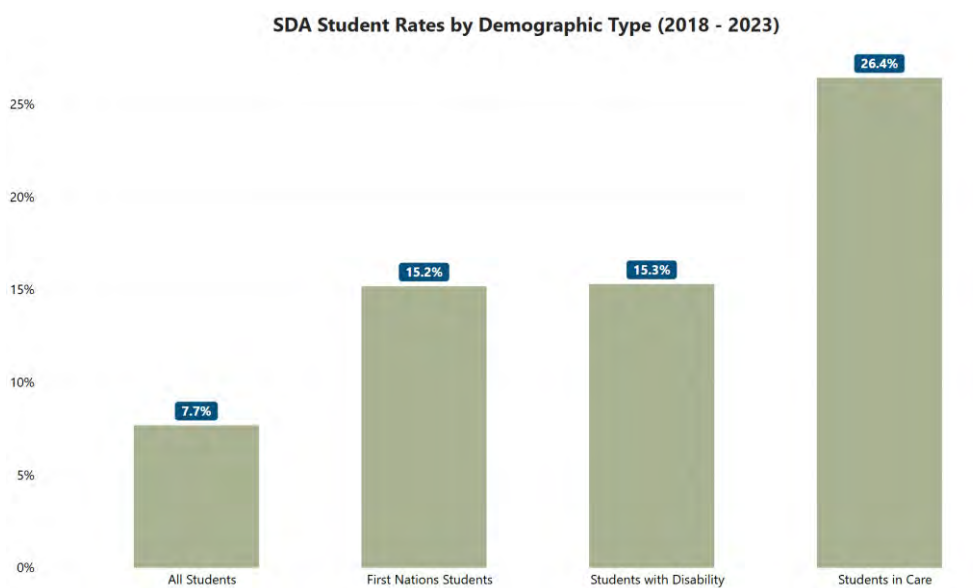


FIGURE 1 PERCENTAGE OF COHORT RECEIVING A SUSPENSION OR EXCLUSION 2018-23. DATA PROVIDED BY THE EDUCATION DEPARTMENT, JULY 2024.

I have been monitoring the Department of Education’s SDA data for some years and remain concerned about the disproportionate number of SDAs issued to children living in out-of-home care, children living with a disability, and First Nations children.

The use of punitive behaviour management responses ignores the evidence about the developing brain and the effects of trauma, abuse or poor mental health on classroom behaviour. Punitive responses are disproportionately affecting children experiencing multiple education barriers. This is counterproductive to the Objects of Queensland’s Education (General Provisions) Act (the Act) to provide universal access to high-quality education (s.5). The Department’s documented enrolment procedure also states that exclusion or suspension “may affect a prospective student’s entitlement to enrolment at a state school”¹. Denying access to learning because of actions born of poverty, family crises, or disability, further disempowers and isolates children and families. It is also contrary to the Act’s compulsory education mandate.

I consider greater efficiencies would be realised by implementing appropriate responses to the intersectional vulnerabilities of children experiencing SDAs. This requires intentional, co-ordinated action from multiple portfolios to promote and protect the rights of children and young people.

My submission ([no. 623](#)) to the 2024 Education (General Provisions) and Other Legislation Amendment Bill proposed that integration of an overarching and rights-affirming framework for policy decision-making, based on the Objects of the Act , would help place children, families and communities at the heart of education in Queensland. It would clarify the Department’s responsibility and accountability to provide high quality public education universally across the state, regardless of location or family background, and would promote greater consistency in the administration of a range of elements, including SDAs.

¹ Queensland Education department, 2024, Entitlement to enrol, Version: 7.12, available from <https://ppr.qed.qld.gov.au/pp/enrolment-in-state-primary-secondary-and-special-schools-procedure>, viewed 25 March, 2025.

ABOUT THE OFFICE OF THE ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN'S COMMISSIONER

Under the *Queensland Family and Child Commission Act 2014* the Aboriginal and Torres Strait Islander Children's Commissioner is granted functional and operational independence in the exercise of their powers and functions.

Our vision is that

Aboriginal and Torres Strait Islander children grow up strong in their identity, culture, and community, free from systemic racism and discrimination. They are safe, nurtured, and thriving in their families, with systems designed to support, not separate. They exercise their rights, participate in decision making, and contribute to solutions that are aligned to their identities and aspirations.

The child protection and youth justice systems are defined by early intervention, Aboriginal and Torres Strait Islander family-led solutions, and culturally safe care.

The Queensland Government strengthens accountability by integrating child rights into policy, legislation and service delivery.

Should Committee members have any queries about this submission they may contact Amy Lamoin, Executive Director, First Nations and Child Rights Advocacy, via email at [REDACTED]