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Dear Refresh of the National Out-of-Home Care Standards Review,

Thank you for undertaking the important work of refreshing the National Out-of-Home Care Standards. The Queensland Family and Child Commission (QFCC) has a legislated responsibility to promote the safety, wellbeing and best interests of children and young people, and to improve the child protection system.¹ We understand the value of the perspectives and insights from individuals with lived and living experience of the care system, and advocate for young people to be involved in the decisions that impact their lives. The QFCC's involvement and dedication to improving out-of-home care for children in the care of the state have been, and will continue to be, shaped by ongoing engagement with young people in care, industry stakeholders, and the broader community, all of whom highlight deep concerns about the current system and how it fails to meet the needs of vulnerable children. The review of the National Standards must be approached with both urgency and a profound understanding of the realities of care.

At the core of the out-of-home care system is an essential truth: when the state takes on the role of a child's guardian, it assumes the responsibilities of parenthood. However, despite this, in practice there is a systemic failure to fulfill this role in a consistent, accountable, and child-centred way. The very essence of corporate parenting demands that the state offers more than just a "place" for children to stay: It must provide stability, love, guidance, opportunities, and a safe space for children to thrive, much as any loving parent would. Unfortunately, the evidence, particularly as captured in the annual reports from the Queensland Child Death Review Board, have painted a concerning picture of how government is failing in this role.

The System as a Corporate Parent

As the Principal Commissioner of the Queensland Family and Child Commission, and the Chair of the Child Death Review Board (the Board), I have reviewed the deaths of over 1,200 children over the past three years. Each death of a child known to the child protection system is a sobering reminder of the work yet to be done to address the known limitations of an overwhelmed system struggling to meet its core purpose: to protect children who are most at

¹ Queensland Legislation (2014). *Family and Child Commission Act 2014*.
<https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2014-027>

risk of harm and provide them with the opportunity to grow up to be safe, happy, healthy adults. The Board's recent findings describe how bureaucratic inertia and fragmented responsibility have led to inconsistencies in the delivery of care and support for children in care. The *Annual Report 2023-24* reflects a disturbing pattern where children in care experience instability in placements, unmet health needs, poor educational outcomes, and a lack of meaningful cultural connection.²

There is a need for a fundamental rethinking of corporate parenting. The state must understand its role as a child's parent and engage with the full weight of responsibility that this entails. Corporate parenting should not be a technical or administrative task but a responsibility to ensure that every child in care receives the nurturing, protection, and guidance they deserve. This requires more than regulatory compliance; it requires a reimagining of how children in care are supported across every aspect of their lives.

The child protection system must shift from being process-driven and bureaucratic to one that is deeply relational, child-centred, and focused on long-term, holistic outcomes for children. The Queensland experience shows that a lack of such an approach leads to children being caught in a cycle of uncertainty, which affects their mental, emotional, and physical wellbeing.³

I echo the Boards's recommendation for "improved cross-government commitment to all children in care." The Queensland Government has been called upon to ensure all relevant departments - health, education, justice, housing, and others - align in their approach to supporting children in care. This recommendation, while vital for Queensland, must be considered at a federal level, where each portfolio lead publicly pledges their commitment to children in state care, ensuring that such commitments encompass the full spectrum of child welfare services, including employment, training, and opportunities for young people transitioning to adulthood.⁴ A unified national approach, driven by transparency and accountability, would signal a united front from all levels of government to uphold the rights of children in care and improve their prospects. Too often, we are caught in discussions over the alignment of national frameworks, while children continue to experience substandard care.

² Child Death Review Board (2023). *Annual Report 2022-23*. <https://www.qfcc.qld.gov.au/sites/default/files/2024-08/Child%20Death%20Review%20Board%20Annual%20Report%202022-2023.pdf>

³ Queensland Family and Child Commission (2024). *Growing Up in Queensland*.

https://www.qfcc.qld.gov.au/sites/default/files/2024-02/9022_QFCC_Growing%20Up%20in%20Queensland.WCAG%20reading%20order_01%20COMPRESSED.pdf

⁴ Child Death Review Board (2023). *Annual Report 2023-2024*. <https://www.qfcc.qld.gov.au/sites/default/files/2025-02/Child%20Death%20Review%20Board%20Annual%20Report%202023-24.pdf>

Application of Existing Wellbeing Frameworks

The Australian Research Alliance for Children and Young People (ARACY) Nest Wellbeing Framework offers a valuable perspective for understanding the diverse needs of children and young people in care, highlighting their development across key domains such as valued, loved and safe, health, education, and identity and culture. The QFCC has adopted this framework as part of our scaffolding in our oversight of the current child protection system and in positioning the child in the context of family and community. Integrating this framework into national standards for out-of-home care however presents several challenges. While it provides a holistic approach, its consistent application across varying jurisdictions is hindered by differences in resources, policies, and priorities at both state and federal levels.

The broad scope of the framework, which encompasses emotional, physical, and social dimensions of wellbeing can sometimes clash with the more immediate operational demands of child protection services. Balancing the need for trauma-informed care with the pressures of maintaining placement stability and meeting institutional requirements can complicate efforts to provide truly child-centred support. While the framework advocates for a community-based approach, the complexities of cross-government cooperation and jurisdictional silos often obstruct the integration of services essential for a child's holistic development. As we move forward, it is critical that the national standards incorporate elements of the ARACY framework in a way that acknowledges these challenges, while ensuring the wellbeing of children and young people in care remains the foremost priority.

While the national standards must seek consistency, we caution against creating a framework that undermines federalism or seeks national uniformity at the expense of the diverse needs of children across states and territories. It is essential that we do not stifle innovation or regional variation in how care is provided, as these differences are often driven by the unique needs of local populations. National standards can exist alongside jurisdictional flexibility, using common indicators to ensure that no child is left behind.

Reporting Capacity and Mechanisms

It is important to note that the levers for national consistency and improved outcomes are already at our disposal. National reporting mechanisms, such as those from the Australian Institute of Health and Welfare (AIHW) and the Productivity Commission, already exist and could be aligned more effectively with national standards for out-of-home care. These frameworks offer valuable insights into the state of out-of-home care across Australia, and their existing data could be used to drive accountability without the need for excessive bureaucratic processes. The current focus on achieving national consistency in data reporting is consuming valuable resources and time, which could be better spent on ensuring the quality of care children are receiving right now.

Each jurisdiction should not be required to wait for consensus on every data point before taking action. We must allow each state and territory to report in their own way, with clarity and a shared commitment to improving outcomes for children in care. This should be about a



transparent dialogue with the community, accountability, and ongoing monitoring of what is actually happening for children in care.

The development of national standards must not disregard the very human experience of parenting. Many of the current out-of-home care frameworks, including those being proposed at the national level, fail to account for the lifelong nature of parenting. For children in care, the role of the state is not temporary; it is lifelong. This must be reflected in the standards and services we provide. Children in care need to be raised to become healthy, loved, and safe adults, not simply removed from harm and placed in a system that treats them as a "project" to manage.

Drawing from the insights shared by children and young people with lived experience, as highlighted in the report *I Was Raised by a Checklist*, it is evident that the current system falls short in prioritising relational permanence, genuine care, and ongoing emotional support. Many young people in residential care have expressed feeling as though they are being raised as a risk to be managed, rather than a child seeking to be nurtured and loved. Their voices emphasise a critical need for care that goes beyond simply meeting basic safety and housing requirements. They require emotional support, trust, and, most importantly, people who genuinely care about them as individuals. The report underscores that meaningful relationships with staff are essential to positive outcomes, and without this, young people feel disconnected and overlooked.⁵

The QFCC has consistently stressed the importance of recognising children's right to a stable, loving, and supportive environment. In our report, *Rights, Voices, Stories*, we documented the experiences of young people involved in the Queensland child protection system, particularly those in residential care. Young people have made it clear that they do not just need a bed and food, but also positive and supportive relationships with trusted adults, consistency in care, opportunities to be heard, and a system that works actively to ensure their wellbeing.⁶ Children in care want to be treated with respect, seen as individuals, and given the same opportunities as any other child in the community. As young people in our system have stated, it is vital that they are not seen through a "system lens" but through the lens of their humanity and their need for a loving, caring environment where they can thrive.

⁵ Queensland Family and Child Commission (2023). *I was raised by a checklist*. <https://www.qfcc.qld.gov.au/sites/default/files/2023-10/I%20was%20raised%20by%20a%20checklist%20-%20QFCC%20Review%20of%20Residential%20Care.pdf>

⁶ Queensland Family and Child Commission (2021). *Rights, Voices, Stories project report: Identifying what matters to children and young people involved with the Queensland child protection system*. https://www.qfcc.qld.gov.au/sites/default/files/2022-06/Rights%20Voices%20Stories%20-%20Project%20Report_0.PDF



The purpose of National Standards

The updated National Standards must serve the fundamental purpose of creating a consistent, child-centred approach that ensures every child and young person in out-of-home care receives the support they need to thrive. National Standards provide a clear, unified framework for delivering high-quality care that prioritises the rights, wellbeing, and long-term development of children, cross-jurisdictionally. These standards should be used as a tool for guiding practice, ensuring accountability, and improving outcomes for children by setting clear expectations for care providers, including specific practices and approaches to meet individual needs. The standards should aim to achieve better relational permanence, genuine care, emotional support, and the active involvement of children and young people in their own care.

Accountability mechanisms should be in place to ensure the standards are consistently met, including regular audits, independent reviews, and avenues for children and young people to provide feedback on their care experiences. There should be a strong emphasis on transparency, where young people are not only informed about their care but also empowered to contribute to decisions that affect their lives. Currently, while the existing standards address many important areas, they often fall short in emphasising the need for relational permanence, emotional support, and genuine connections between care workers and children. Key areas that should be incorporated into the refreshed standards include more comprehensive trauma-informed practices, a stronger focus on relationship-building, and clearer guidelines for creating a sense of "home" for children, not just providing housing.

The updated National Standards should also do more to explicitly embed the rights of children and young people as outlined in the United Nations Convention on the Rights of the Child. These rights must not only be referenced but should form the foundation of the standards, ensuring that children's voices are heard, respected, and integrated into every aspect of their care. Additionally, there should be specific reference to diverse population groups, recognising the distinct needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, infants, young children, and those identifying as part of the LGBTQI+ community. The standards should not only mention these groups but provide targeted approaches and practices to ensure that the unique challenges faced by these groups are adequately addressed.

Finally, the principles and values that should guide the National Standards must reflect a commitment to respect, dignity, equality, and inclusivity. The standards should prioritise relational connection, consistency, trust, and love, aiming to foster environments where children feel valued as individuals and supported in their journey towards achieving their full potential. These values must be underpinned by a shared commitment to human rights and the ongoing improvement of care for all children, ensuring that every young person in out-of-home care is empowered to succeed.

Our children deserve better than a system that merely checks boxes; they deserve a system that is truly committed to their long-term wellbeing and future success. It is time for a



rethinking of corporate parenting that aligns with the full spectrum of child rights, offers transparency, and prioritises the lived experiences of children in care, from their entry into the system and throughout adulthood.

I look forward to continuing this conversation and supporting a child-centred approach to out-of-home care that ensures every child is heard, valued, and nurtured throughout their journey. If you have any queries in relation to this matter, please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED].

Yours sincerely

Luke Twyford
Principal Commissioner
Queensland Family and Child Commission

April 2025

