

Natalie Lewis, Aboriginal and Torres Strait Islander
Children's Commissioner

Corporate Parenting Submission

Transition from care and post care outcomes

30 March 2026



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
PO Box 15217
Brisbane City East QLD 4002
qfcc.qld.gov.au

Introduction

This paper extends our previous submission to address the effectiveness of the Queensland Government in its role as a corporate parent, with specific focus on how the quality of corporate parenting directly influences children's experience of transition from out-of-home care. The government's role as corporate parent is central to ensuring children realise their enduring best interests through safe, planned and supported transitions out of care. How the State exercises this role directly shapes children's lifelong outcomes, including their health, education, relationships and connection to community. This submission highlights the downstream consequence of systemic failures in care, planning, coordination and accountability for children for whom the State has assumed parental responsibility.

The outcomes from these failures are foreseeable and preventable. Where harm is predictable on the available evidence, failure to act constitutes a breach of duty. The State, as corporate parent, is not merely a service provider. It is the primary duty bearer under the *UN Convention on the Rights of the Child* (UNCRC). This includes a positive obligation to anticipate risk, mobilise supports and prevent harm, not simply respond after problems occur. When the State assumes guardianship, it becomes the parent of last resort. This role carries a heightened and enduring duty to protect, nurture and advocate for the child for the duration of their childhood in ways are evidenced to benefit them across their life course.

This submission explores the role of the State during young people's transition from out-of-home-care by drawing directly on the lived experiences of young people around their experiences of what worked well during the transition planning period, and where additional support would have benefited them. The accounts from young people demonstrate how the effects of decisions made during their time in care and the actions taken or not taken by the State have effects that only emerge after statutory involvement ends.

Corporate parenting and transition outcomes for children in care

Section 5A of the Act states that the most important principle in child protection is that a child's safety, wellbeing and best interests must come first, not only during childhood but for the rest of their life.ⁱ

When interpreting the paramount principle, the wording requires duty bearers to consider decisions that look beyond a child's immediate safety needs and consider any foreseeable long-term consequences and outcomes of interventions beyond a point in time statutory involvement and into the child's adulthood.

This principle is especially important when planning and supporting a child's transition from care into adulthood. While it is true that no one can predict every aspect of a young person's life, the Department of Child Safety has a legal and ethical responsibility to make decisions that protect children and promote their long-term wellbeing. Best interests are not only about immediate safety; they include planning for education, life skills, cultural connection, mental health, and stable housing. By gathering evidence, consulting with children, families, carers, and experts, and monitoring outcomes, the Department can make informed decisions that significantly increase the likelihood of positive lifelong outcomes.

Even if the Department cannot control every future event, 'uncertainty' about the future does not excuse inaction or neglect of responsibility. Quality corporate parenting requires thorough planning, support, and accountability to give children the best possible start in life.

The State, as the primary duty bearers for children in out-of-home-care, are also required to make decisions that are compatible with human rights and consider relevant rights under the Queensland Human Rights Actⁱⁱ and the UNCRC:

- Best interests to be a primary consideration (Article 3)
- Right to survival and development (Article 6)
- Right to be heard and participate in decisions (Article 12)
- Right to enjoy culture (Article 30)

The United Nations Committee on the Rights of the Child makes clear that acting in a child's best interests includes transparent and evidence-based decision-making. For young people leaving care, this means governments must track and learn from long-term outcomes and use that information to improve transition supports and services.ⁱⁱⁱ

For Aboriginal and Torres Strait Islander young people, strong cultural identity, connection to family, community and Country are critical protective factors for successful transitions to adulthood. The Queensland Human Rights Act, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)^{iv}, and the UNCRC, recognise the importance of self-determination and cultural continuity. Transition planning must actively support these rights towards the benefit of quality lifelong wellbeing outcomes.

Non-Discrimination and Equity (Article 2, UNCRC)

The State's obligations as corporate parent must be exercised in a manner consistent with the right to non-discrimination under Article 2 of the UNCRC. This requires not only equal treatment, but proactive measures to address structural inequities experienced by specific groups of children in out-of-home care.

Children in care do not experience the system uniformly. Outcomes are shaped by intersecting factors including Indigeneity, disability, gender, and prior experiences of trauma.

For example, Aboriginal and Torres Strait Islander children remain significantly over-represented in out-of-home care and experience poorer outcomes across multiple life domains. Young women in care are more likely to have experienced violence, coercion and exploitation, requiring gender-responsive and trauma-informed responses. Children with disability face additional barriers in accessing appropriate supports, including the interface between the child protection and disability systems.

A failure to recognise and respond to these intersecting forms of disadvantage risks embedding inequity within the system itself. A rights-based corporate parenting framework must therefore require:

- disaggregated data collection and public reporting across key cohorts
- targeted strategies to address unequal outcomes
- culturally safe, gender-responsive and disability-inclusive service design
- explicit consideration of equity impacts in all decision-making affecting children in care

Without an explicit equity lens, system reform risks improving average outcomes while leaving the most vulnerable children behind.

What young people have told us about transitioning from care

In late 2025, the Office of the Aboriginal and Torres Strait Islander Children's Commissioner (OATSICC) team spoke one-on-one with young people across Queensland who had lived in care. These conversations helped inform the *2025 Queensland Child Rights Report*.

We asked young people about:

- their time in care
- transition planning
- who supported them
- what worked well
- what needs to change

Young people in all types of placements shared similar experiences. Many said leaving care felt rushed and poorly planned. Some described the process as disorganised or fragmented. They were often not properly involved in planning their transition and as a result, problems only became clear after they had already left care.

The following section highlights the key themes and voice of the young people we spoke with.

Transition planning is treated as an administrative task, not a protective process

A young person's transition from care should not depend on administrative processes or discretionary referrals; it should be a clear statutory responsibility of the State.

Section 75 of the Act outlines the States obligations for transition to independence:

(2) As far as practicable, the chief executive must-

- (a) **ensure help is available** to assist the person in the transition from being a child in care to independence; and
- (b) **ensure the help is available** to the person for the period starting when the person turns 15 and ending when the person turns 25.^v

Some young people we spoke to that were subject to Long Term Guardianship to Other (LTG-O) to foster carers. One of the key themes we heard from this group of young people was their having limited to no knowledge of transition from care planning. This was often confounded by not knowing who their Child Safety Officer was or what supports they were entitled to.

"It was horrible. I'm not going to sugar coat it. It was not very good. I kind of felt like I was left in the dark and I also felt like everyone else got the leaving to care plan, they got to do everything else, while I'm sitting here being like, what about me? What about me? Like I'm here as well. Like I was a kid in care. I've been in there for 18 years of my life and not having that leaving to care plan, hadn't I had a home, I would have been homeless. How do we know about going to Housing? How do we know how to ask Child Safety? So, a lot of them don't know how to ask, or they're afraid to ask, or they don't want to."^{vi}

Some young people on LTG-O's spoke about transition planning only occurring weeks before turning 18.

"Yeah, transition to care planning. It was two weeks, because I had a CSO but then she left and then I got a new CSO and then all that sort of stuff happened and then that's when - yeah, basically I got none of that. I got none of the transition into adult planning. I got basically none of that."^{vii}

“We didn’t even get a T2A or whatever, transition to adulthood. I was just about 18 and that’s when they were like - I think it was two weeks before my 18th birthday, they came out and said, you’re about to turn 18.”^{viii}

“And they (carers) should be obligated. They should sign something that says, even after they turn 18, they need to stay willing to look after these children until they’re 21 at least, because nobody – look at the social environment we live in now. It’s like, people have no money.”^x

These experiences evidence that administrative measures of placement stability are often misrepresented as indications that a child is well supported. However, this approach can overlook the qualitative experiences of children and young people by failing to seek their views, involve them in decisions about their future, or properly assess whether their best interests are being met. The voice of children through our consultations aligns with evidence showing more than a third of children wanted better support from adults to support transition including more contact with parents and siblings, greater communication with them and a slower transition that supported and prioritised ongoing stability, safety and relationships.^x

Housing instability and homelessness post-care

“States should ensure that children leaving care are supported in their transition to independence and are not left without adequate accommodation, income or support.”^{xi}

Unlike young people in family-based placements, those living in residential care must leave their placement the day before they turn 18, regardless of whether secure housing has been arranged.

“Transition to leaving to care plan... They need to start doing it earlier, from 15 or even 14. But I feel like they haven’t done that, so there’s so many young people that are either homeless or – yeah.”^{xii}

“It’s about transition planning and making sure young people have houses or homes to go to, safe places to go to. Because some of the time, as soon as people turn 18, they have no houses to go to. They’re just going to be homeless”^{xiii}

When governments fail to track and report what happens to young people after they leave care, including rates of housing instability and homelessness, homelessness continues to be framed as an individual failure.

It is not.

Homelessness after care is often the predictable outcome of earlier child protection decisions. It reflects how well (or poorly) a young person was supported in care, how stable their placements were, and whether meaningful transition planning occurred.

When a young person leaves care without safe and stable housing, this is not simply a social issue. It is a systems issue. The State made the decision to remove that child in order to protect them. With that decision comes an ongoing responsibility to plan for and provide care that benefits their long-term wellbeing and best interests.^{xiv}

Isolation and unsupported independence

Young people that exited care from a residential care placement also told us about the abrupt loss of relationships and support at age 18. As a result, some young people were expected to live independently without having been given the preparation or support needed to do so safely and confidently.

"I left care - sorry, I self-placed a lot in my time in residential care, just because I couldn't deal with the way that I was being treated. Just before I had turned 18, about three - I don't know how many months before. I moved out of the residential placement that I was in, and I went and started crashing on the couch with a few friends and started applying for work. I really had to take the initiative and kick myself and to get - sit down with myself and say, hey, these are my goals, how can I achieve them? It was really - it was all self-motivated? Child Safety had done nothing to even contribute to the position that I am in today. I give them no credit." xv

"Without next step I would have nobody because my mum doesn't support me. There was never any help there to help her to support me, you know what I mean?" xvi

"That would be - a good example of being involved with the community as well, I feel like when I was in residential care, one of the reasons I was so pushing towards going to school was because I had no social life. I had nothing. While I was in residential care, I feel like school or going for a sleepover once a week really could have helped with that. I have stuff all social skills now, I don't like people" xvii

"It was awkward - not awkward, it was messed up my situation of leaving care and so I had to go to Child Safety instead and be like, can you help me with this because they never offered that, nothing." xviii

What young people told us shows the cumulative harms that can emerge after leaving care, especially from residential placements. These harms include the sudden loss of relationships with familiar youth workers and carers leading to social isolation, and a lack of adult support once they leave care. Evidence indicates more than half of Aboriginal children in out-of-home care wanted more contact with their birth families.^{xix} Such findings corroborate the need for caseworkers to support parent-child connections, as many children are likely to return to their parents after leaving care, making these relationships vital to their quality transitions and long-term wellbeing.^{xx}

Lack of independent living skills

Many young people that we spoke to with a residential care experience described a lack of support from youth workers to grow their independent living skills. This occurred without support to build their independent living skills such as cooking, budgeting, grocery shopping, and obtaining a licence.

"Then they were just buying us Maccas and stuff every night. Never really cooked, never taught it."xxi

"Even growing up in - I don't really want to say this, because I mean - I didn't get taught anything. I don't know how to do anything at all. All I know is street stuff, like yeah." xxii

"The most transition planning I got was a bank card, a licence, nothing, no work experience, no resume building, no - no actual shit that I needed." xxiii

"I feel like we were given no independence opportunities either. I feel like even every second week if we go and write our own grocery shopping list or they let us go and weigh the fruit. Just little things like that to create independence. With my licence as well, not once was I ever asked, hey, do you want to start your [learner's]? These are the driving courses we can go through. It took me turning 17 and having two jobs that I needed to get to and from or self-placing to say, hey, I really need my licence. What can you guys do for me? I didn't do any of my PrepLs through them, I ended up getting a friend to help pay for that and do that with me because they would just push it back, and push it back, and push it back, and I needed my licence" xxiv

"But a lot of workers would just try and make it for you. It's like, well, how am I going to know how to cook a freaking kebab in two years when I'm on my own. I feel like being included in those experiences would have been beneficial." xxv

Young people should not be left with feelings of shame about not knowing how to cook meals and budget for groceries and bills. This only perpetuates harm through impacts upon long-term wellbeing. Minimal transition planning leaves young people to figure out essential life skills on their own. Clearer planning focused on their enduring best interests is simply what children indicate they need; things like being included in everyday tasks and being given real opportunities to build independence would have made leaving care much safer and more manageable. Young people's experiences show that without meaningful support and skill-building, leaving care often sets them up for struggle rather than independence.

Cultural disconnection for Aboriginal and Torres Strait Islander young people extending beyond the period of statutory involvement

Aboriginal and Torres Strait Islander young people placed in long-term foster care said they felt disconnected from their families and culture while in care. These effects often became clearer after leaving care, when relationships with foster carers ended and they were either forced or chose to move out and try to reconnect with their families.

"Nan was talking to her ex-husband and she's – you know, say hi to your granddaughter, say hi to your grandad. I was like, hey. I've never met you in my life. I think it was also just – and for the Aboriginal protests when George Floyd died, my foster dad didn't want me going to it, because he was like, well, you don't know anything about it. I was like, okay, so you're a black man? No." xxvi

"She wanted, I think a darker baby, but yeah - and I would be like, oh, can I do some culture stuff? Nothing. It was only during school I got that." xxvii

"I just think when it comes to Indigenous culture, it was a lot of how to push that to the side" xxviii

"I think it was just, oh we're a nice white family, let's take on these two Aboriginal girls who went through so much trauma, but we don't know nothing about it and they should be grateful because we gave them a roof over their heads." xxix

The young people's quotes strongly align with the academic evidence from First Nations scholars and research which shows that connection to family, kinship, culture and community is central to Aboriginal and Torres Strait Islander social and emotional wellbeing.^{xxx} When these connections are disrupted by systems such as out-of-home care, identity, belonging and mental health are harmed.^{xxxi} When young people experience cultural disconnection, loss of identity, and being discouraged from engaging in culture, such things can never support the child's best interests.

This raises the importance of carers needing cultural understanding and the ability to support the ongoing strengths and cultural continuity of Aboriginal and Torres Strait Islander children. The young people's experiences suggest these strengths were not recognised or supported in foster placements, reinforcing evidence that mainstream systems often privilege Western norms over Indigenous ways of knowing, being and doing.^{xxxii}

The sense of being expected to feel "grateful" for placement echoes findings from *Bringing Them Home* (1997), which documented how removal practices historically framed Aboriginal children as rescued rather than as rights-holders entitled to family, culture and identity. Contemporary research shows that this deficit framing continues to shape experiences in care, contributing to cultural erasure and intergenerational trauma.^{xxxiii}

Overall, the experience of young people we spoke to do not sit outside the evidence, they confirm it. They illustrate how cultural disconnection, lack of cultural safety, and power imbalances identified in First Nations scholarship continue to be lived realities for Aboriginal and Torres Strait Islander young people in out-of-home care today.

Improving Transition from Care

We asked young people what could have made their transition from care easier, and what supports they would like to see other young people have during their transition from care.

“I think having carers that cared. That’s the only thing really. Child Safety was enough as it is, or they did as much as they could, which was nothing.....It would have been a lot easier if you just cared.”^{xxxiv}

“Having – well, one, having that leaving to care plan, but also having someone talk to you about like saving money up beforehand.”^{xxxv}

“But I think it was four or five months before turning 18, I got a new CSO, and he did everything in that time that she couldn’t do in the span of a year and a half. He was lovely, and he was new too.....Yeah, he did everything. I have a whole folder of everything. He put everything together for me, which was good”^{xxxvi}

These quotes highlight the critical role of supportive, engaged carers and child protection staff in shaping positive experiences for young people in care. Young people emphasised that even small acts of genuine care, like helping them plan for leaving care or teaching practical skills such as saving money are the things that could make a meaningful difference. Consistent, culturally safe, and relational support is central to Aboriginal and Torres Strait Islander children’s wellbeing.

The contrast between experiences of neglect or minimal support and those with a committed worker illustrates the evidence that relational continuity, practical guidance, and attentive care can mitigate some of the harms of child removal. When workers were proactive and attentive, young people felt more prepared, valued, and supported to transition to independence, reinforcing that the quality of relationships, not just placement, is crucial for wellbeing and successful outcomes post care.^{xxxvii}

Young people leaving out-of-home care face a rapid and unsupported transition to independence at age 18, when formal child protection involvement ends and they are expected to access adult systems without the ongoing support typically provided by families.^{xxxviii}

Strengthening Participation and Shared Decision-Making

While consultation with young people is critical, a child rights-based approach requires participation to extend beyond engagement into shared decision-making. Young people with lived experience of care must be recognised not only as contributors, but as partners in the design, implementation and oversight of systems that affect their lives.^{xxxix}

This requires:

- embedding participation as a statutory requirement within corporate parenting duties
- establishing formal governance roles for care-experienced young people in oversight and advisory bodies
- resourcing independent advocacy to support meaningful participation
- ensuring feedback from young people directly informs decision-making and system reform
- Participation that does not influence decisions risks becoming performative. Participation that shapes decisions strengthens both the legitimacy and effectiveness of the system.^{xi}

Post-Care Support Programs

Two related issues arise in the current transition from care framework.

First, while the *Child Protection Act 1999* recognises the importance of supporting young people transitioning from care between the ages of 15 and 25, eligibility for many post-care support programs in practice depends on whether a young person was in care immediately before turning 18. This requirement is not contained in the legislation itself but arises through program eligibility criteria and operational policy. As a result, young people whose orders end shortly before adulthood may lose access to supports despite having significant care experience.

Second, the Act currently requires the chief executive to ensure that “help is available” to support a young person’s transition from care. In practice this obligation is implemented primarily through transition planning and referrals to external programs. However, this approach does not require the Department to ensure that the supports identified in a young person’s transition plan are actually secured or delivered.

Together, these issues create a gap between the intent of the legislation and the supports young people are able to access in practice. Young people may leave care with transition plans and referrals but without secure housing, coordinated services or the foundations for a safe transition to adulthood. Strengthening the legislative framework to base eligibility on care experience and to impose a clear duty to secure and coordinate transition supports would help ensure the State fulfils its responsibilities as corporate parent.

Operationalising the Paramount Principle

Strengthening the monitoring of outcomes for care-experienced young people beyond the point they leave care would provide a clearer understanding of the risks they face in early adulthood and enable the system to identify opportunities for earlier intervention and improvement.

Despite the large numbers of young people turning 18 and exiting out-of-home care each year, it has previously been acknowledged that Australian jurisdictions do not routinely monitor or report on life outcomes for young people after care. As a result, care leavers remain largely invisible in administrative data, limiting the ability of policymakers to understand the challenges young people face after a care experience and to design effective policy responses. Improving the transition from care system requires a clear understanding of what happens to young people after they leave the protection of the State.^{xii}

This lack has meant that performance measurement in child welfare has increasingly relied on administrative data, such as case counts, placement durations, and investigation timelines. These data reflect the behaviour and priorities of the system rather than the experiences or well-being of children and families.^{xliii} Indicators are not neutral because they frame what is visible, valued, and acted upon. Narrow administrative measures prioritise procedural compliance over outcomes such as family support, prevention, and even the safety of children. For this reason, they also obscure inequities affecting vulnerable populations. All this is important understanding to highlight the analysis of administrative data is too often used to ascribe the experiences or well-being of children and families rather what it actually measures which is the behaviour of the child protection system.

At every point in the child’s life, each decision made is justified on the basis that they serve a child’s best interests over time. Short term administrative indicators e.g. OOH placement compliance and case planning completion, do not reliably predict post care outcomes these actions achieve in areas such as:

- Mental health and suicide risk
- Involvement in the criminal justice system
- Domestic and family violence

- Drug and alcohol misuse
- Homelessness and housing stability
- Workforce absence
- Early mortality
- Tertiary education inclusion
- Inter-generational involvement in the child protection system

Any system responsible for making decisions that directly impact people's lives must collect outcome data to determine whether interventions are successful and remove harm or merely defer the harm.^{xliii}

When the State removes a child from their family, it assumes the role of corporate parent, and with that comes a higher duty to demonstrate that its decisions improve a child's life, not merely that administrative processes have been followed. When systems measure compliance with process rather than outcomes for children, the consequences become visible in the lives of young people who leave care without stable housing, meaningful support or the foundations for a safe and healthy adulthood.

There are well understood systemic harms associated with OOHC experiences, which are cumulative in nature. Examples include:

- Placement instability
- Loss of autonomy
- Lack of independent, individual advocacy
- Loss of relationships
- Cultural disconnection and severance
- Repeated education disruptions
- difficult in accessing specialist disability and health services

Without long term evidence, the State cannot uphold its responsibilities to assess enduring best interests and provide evidence of a system capable of raising strong and healthy children, undermining the legal requirements and moral obligations of the state to ensure a child's best interests are actualised.

The current reliance on administrative indicators as proxies for system performance is insufficient to meet the requirements of the paramount principle. Administrative compliance does not equate to improved life outcomes. A system that cannot demonstrate whether its interventions reduce harm or improve wellbeing cannot be said to be acting in a child's best interests.

To operationalise the paramount principle in practice, governments must:

- define and measure outcomes that reflect children's lived experiences and long-term wellbeing
- establish longitudinal monitoring of care-experienced young people beyond age 18
- link decision-making during care to post-care outcomes
- embed continuous learning and system improvement based on outcome data

Without this, the paramount principle risks becoming a procedural requirement rather than a substantive standard guiding decision-making.

Data, Evidence and System Accountability

The absence of consistent, longitudinal data on the outcomes of care-experienced young people represents a critical gap in the system's ability to assess its effectiveness. Existing data systems primarily capture administrative activity during a child's time in care, but do not systematically track outcomes in early adulthood. This creates a structural blind spot, where the long-term impacts of decisions made during care remain largely invisible.

International and Australian evidence consistently demonstrates that care-experienced young people face elevated risks of homelessness, justice system involvement, poor mental health outcomes, and social and economic exclusion. These outcomes are not random; they are patterned and predictable.

A system that does not measure outcomes cannot:^{xliv xlv}

- identify where harm is occurring
- understand which interventions are effective
- allocate resources based on need and impact
- demonstrate accountability for the exercise of statutory power

To address this, governments should:

- establish linked, cross-agency data systems to track outcomes for care-experienced young people
- publicly report on key outcome indicators, disaggregated by cohort
- embed outcome monitoring within corporate parenting responsibilities
- use data to inform policy, resource allocation and system reform

Where harm is foreseeable on the available evidence, failure to measure and respond to that harm represents a failure of duty.

Best-Practice Child-Rights Approach

Scotland provides one of the clearest international examples of how governments can move centred on the best interests of a child. The reforms introduced through the *Children and Young People (Scotland) Act 2014* establish a model where multiple public authorities share responsibility for improving the lives of care-experienced children and young people. This model offers several starting points for jurisdictions seeking to implement a whole-of-government or enterprise-approach.^{xlvi}

1. Corporate parenting as a statutory duty across government

The central reform in Scotland is the creation of statutory corporate parenting duties placed on a wide range of public bodies. These include government ministers, local authorities, health boards, police, education institutions and other public agencies. Each organisation is legally required to consider the needs of care-experienced children and young people in its work and to act to improve their wellbeing. This shifts responsibility from a single child protection department to the collective public sector acting as the child's parent.

2. Shared responsibility for outcomes, not just services

The Scottish model recognises that outcomes for children in care are shaped by multiple systems including housing, education, health, justice and employment. Corporate parents must therefore work collaboratively to remove barriers to services and improve life outcomes, rather than simply delivering

isolated programs. This reframes child protection from a service response to a shared responsibility for raising children well.

3. Clear accountability through corporate parenting plans

Each corporate parent must publish a corporate parenting plan describing how it will support care-experienced children and young people. These plans must be publicly reported on and reviewed periodically. This creates transparency and ensures that agencies can demonstrate how their policies and services contribute to improving outcomes.

4. Recognition of care experience beyond childhood

Corporate parenting duties extend beyond children currently in care to include care-experienced young people and care leavers. This reflects evidence that many risks, inclusive of homelessness, unemployment and poor health, emerge after young people leave care. The framework therefore emphasises long-term life outcomes rather than short-term child protection processes.

5. Participation of care-experienced young people

The Scottish approach also emphasises the importance of listening to the voices of care-experienced children and young people. Corporate parents must promote participation in decisions affecting their lives and take their views into account when designing services and policies.

Implications for Queensland's enterprise reform agenda

The Scottish model demonstrates that achieving an enterprise approach requires more than coordination between agencies. It requires clear legislative duties, shared accountability across government and monitoring of long-term outcomes for care-experienced young people. These reforms provide a practical starting point for jurisdictions seeking to embed whole-of-government responsibility for children in care and those transitioning to adulthood.

The Victorian Enterprise-Approach to Corporate Parenting

Victoria has introduced reforms to strengthen whole-of-government responsibility for vulnerable children through amendments to the Children, Youth and Families Act 2005. These reforms establish a Supporting Stable and Strong Families framework, requiring ministers and departments to work collectively to improve outcomes for children involved with the child protection system. Cross-government planning and reporting are overseen by the Children's Services Coordination Board, which supports coordination across portfolios such as housing, health, education and justice.^{xlvii}

This approach reflects a similar policy context to Queensland, where responsibility for children in care largely sits within a single department while outcomes are influenced by multiple government systems. Victoria's reforms show that a practical starting point for an enterprise approach is formal cross-government planning and accountability, requiring agencies to consider the needs of care-experienced children within their portfolios.

It should be acknowledged that the Victorian experience also highlights the limits of coordination alone. Without clear statutory duties placed on public authorities, responsibility for outcomes can remain diffuse. For Queensland, the key lesson is that any enterprise-approach to reform should combine whole-of-government coordination with clear accountability for outcomes, ensuring the State collectively fulfils its responsibilities as corporate parent.

Implementing an Enterprise Approach to Corporate Parenting

Achieving an enterprise approach to corporate parenting requires more than legislative change. It requires a coordinated implementation framework across government. Reform should be supported by:

- a central governance mechanism (e.g. a cross-government ministerial or executive body) responsible for corporate parenting outcomes
- clear allocation of responsibilities across agencies
- staged implementation with defined milestones
- workforce capability development, including cultural capability and trauma-informed practice
- dedicated resourcing to support transition from care reforms
- public reporting on progress and outcomes
- Without clear implementation structures, there is a risk that reforms remain aspirational rather than operational.

Accountability, Remedies and Enforceability

A rights-based system requires not only clearly articulated obligations, but mechanisms to ensure those obligations are enforceable in practice. At present, significant gaps exist between legislative intent and lived experience. Young people may leave care without housing, support, or connection, despite statutory provisions requiring assistance. This reflects a system where duties are often procedural rather than substantive, and where there are limited consequences when obligations are not fulfilled.

To give full effect to the State's role as corporate parent, legislative and policy reform must include:

- Clear, enforceable duties requiring not only planning, but the securing and delivery of supports
- Independent oversight with real-time powers and individual case reach, including:
 - authority to monitor compliance with corporate parenting duties at both system and individual case level
 - jurisdiction to receive and determine complaints from care-experienced young people (including post-care up to age 25)
 - power to initiate own-motion investigations where systemic risks are identified
 - authority to compel agencies to respond, implement recommendations, and report on actions taken within defined timeframes
 - capacity to track transition plans through to actual delivery of supports, not just their creation
- A dedicated system navigator / independent advocate function for care-experienced young people, responsible for:
 - supporting young people to understand their entitlements and navigate complex service systems (housing, income, health, education)
 - assisting with complaints, reviews and engagement with oversight bodies
 - ensuring continuity of support across the transition from care to adulthood
 - acting as a single, consistent point of contact, particularly where multiple agencies are involved

- Remedial responses where failures occur, including the continuation or reinstatement of supports

Oversight must move beyond retrospective analysis of failure and towards real-time accountability that can prevent harm. Where the State assumes parental responsibility, it must also accept responsibility for the outcomes of its decisions.

Recommendations

1. Establish statutory corporate parenting duties in legislation

Amend the Child Protection Act 1999 to establish statutory corporate parenting duties across government for children in out-of-home care and care-experienced young people.

When the State removes a child from their family, it assumes the role of corporate parent. This responsibility must extend beyond the child protection department to all public agencies responsible for services that shape a child's life.

The legislation should:

- Designate key public authorities as corporate parents, including housing, health, education and youth justice.
- Require these agencies to actively promote the wellbeing and long-term outcomes of children in care and care-experienced young people between the age of 0 – 25 years.
- Require each agency to publish a Corporate Parenting Plan and report annually on outcomes, including housing, education, health and employment.
- Require meaningful participation of children and young people with care experience in the design and oversight of corporate parenting actions.

This reform would shift the system from managing placements to fulfilling the State's responsibility to raise children well and improve their life chances.

2. Close a legal loophole and make transition from care a statutory duty

Amend the Child Protection Act 1999 to establish a clear statutory duty on the Department to secure and coordinate transition from care supports for every young person leaving out-of-home care, including access to existing post-care support programs.

Eligibility for these supports should be based on a young person's care experience, not whether they were in care immediately before turning 18.

The duty should require the Department to ensure essential supports, including housing, health, education, income and cultural support are in place before care ends and remain coordinated after age 18 where needed.

Current arrangements rely on transition planning and referral pathways through practice guidance, but do not guarantee that identified supports are delivered.

Proposed amendments to the Child Protection Act (1999) [s 75]:

(1) This section applies to-

- a. every child who is looked after by the State, and
- b. every young person who-
 - i. is under the age of 26, and

- ii. was (on the person's 15th birthday or at any subsequent time) but is no longer looked after by the State.

(2) The chief executive must –

- a. secure, coordinate and monitor support to assist a person in the transition from being a child in care to independence.

(3) Without limiting subsection (2) (a), the chief executive must take reasonable steps to ensure that essential supports are in place before the person leaves care, including supports relating to:

- (a) help to access entitlements, including, for example, social security allowances or payments;
- (b) help to access appropriate accommodation;
- (c) help to access education and training;
- (d) help to obtain employment;
- (e) help to obtain legal advice;
- (f) help to access health and community services, including, for example, specialist disability support services;
- (g) support in establishing or maintaining relationships with the person's family or carer;
- (h) help in accessing **information**, including **information** in the chief executive's possession or control, about the person and his or her time in care;

Note—

See **section 188C** about the **information** the chief executive may give the person.

(i) counselling or other support to help the person in relation to **information** mentioned in *paragraph (h)* ;

(j) other assistance, based on an assessment of the person's needs, provided by the chief executive.

Examples of assistance, based on a person's needs, that may be provided by the chief executive—

- financial assistance under **section 159**
- help given to ensure a young person with impaired capacity is given the opportunity to develop decision-making skills and exercise the rights mentioned in the **Guardianship and Administration Act 2000** , **sections 5** and **6**

- (4) The chief executive must ensure that supports provided under this section are coordinated and maintained after the person leaves care where needed, including through referral to relevant post-care support programs.
- (5) The duty under this section applies to a person who has a care experience, regardless of whether the person was in care immediately before turning 18.
- (6) The chief executive must ensure supports under this section are available for the period starting when the person turns 15 and ending when the person turns 25.

3. Expand the Child Death Review Board (QFCC) Jurisdiction and Monitoring

Amend the Family and Child Commission Act 2014 to extend the jurisdiction of the Child Death Review Board to include the deaths of care-experienced young people aged 18–25 who previously exited the child protection system.

These deaths should be prescribed as reportable deaths and included in the Board's statutory monitoring database, enabling identification of patterns, trends and systemic risks affecting young people transitioning from care. The Board should assess whether decisions made while the young person was in out-of-home care upheld the Paramount Principle, supported their transition to adulthood, and identify opportunities to improve corporate parenting through oversight of care experiences, transition supports and whole-of-government responses.

The legislative framework should also strengthen pathways for referral to the coroner for inquest in appropriate cases. This should include clear criteria where deaths raise systemic concerns, involve potential failures in care or transition support, or warrant independent scrutiny. Coronial inquests provide a more robust mechanism for testing evidence, engaging specialist expertise, and generating clear, actionable recommendations that drive remedial and corrective action.

Extending the Board's jurisdiction in this way would strengthen oversight of the State's responsibilities as corporate parent and ensure the system can identify and respond to systemic risks affecting care-experienced young people beyond childhood.

Conclusion

The evidence before this Inquiry makes clear that reform of Queensland's child protection system must move beyond structural adjustments to focus on the life outcomes of the children the system exists to protect.

When the State removes a child from their family, it assumes the role of corporate parent. With that decision comes the highest responsibility to ensure that every decision made on behalf of that child promotes their safety, wellbeing and long-term development. A system that measures its success primarily through administrative actions while a child is in care cannot reliably demonstrate that it is fulfilling this responsibility.

In this transition from care submission, we have highlighted several systemic issues that require attention. The issues raised include young people losing eligibility for post-care supports when orders end shortly before age 18, limited safeguards to ensure young people understand the consequences of such decisions, discretionary referral processes, and a lack of accountability for whether transition planning results in safe and stable outcomes. Taken together, these issues reflect structural weaknesses that can undermine the rights and life chances of children in care.

The outcomes experienced by young people leaving care are the result of decisions made within systems that are designed, governed and accountable to government. If the State is to fulfil its role as corporate parent, it must be able to demonstrate not only that it has acted, but that its actions have improved the lives of the children it has a duty to protect.

The Inquiry presents a critical opportunity to reset the system around the clear idea that the State must be able, willing and accountable for the outcome of its interventions to improve children's lives. This requires stronger corporate parenting obligations across government, clearer safeguards against bias and discrimination, and greater accountability for outcomes that extend beyond childhood into early adulthood.

If reform is to be truly transformational, it must ensure that decisions made about children today support their wellbeing not only while they are in care, but for the rest of their lives.

References

- i [CHILD PROTECTION ACT 1999 - SECT 5A Paramount principle](#)
- ii [Human Rights Act 2019 - Queensland Legislation - Queensland Government](#)
- iii General comment no. 14 (2013) on the right of the child to have his or her best interests taken as primary consideration. <https://digitallibrary.un.org/record/778523?v=pdf>
- iv <https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples>
- v https://www5.austlii.edu.au/au/legis/qld/consol_act/cpa1999177/s75.html
- vi young person interview
- vii young person interview
- viii young person interview
- ix young person interview
- x Newton, B. J. et al. (2024). *Restoration from out-of-home care for Aboriginal children: Evidence from the pathways of care longitudinal study and experiences of parents and children*. *Child Abuse & Neglect*, 149, 106058. Retrieved from <http://hdl.handle.net/10453/187558>
- xi United Nations General Assembly. (2010). *Guidelines for the Alternative Care of Children [para 131]*.
- xii young person interview
- xiii young person interview
- xiv CRC/C/GC/13
- xv young person interview
- xvi young person interview
- xvii young person interview
- xviii young person interview
- xix Newton, B. J., Katz, I., & Skattebol, J. (2024). *Restoration from out-of-home care for Aboriginal children: Evidence from the Pathways of Care Longitudinal Study and experiences of parents and children*. *Child Abuse & Neglect*, 149, 106058. <https://doi.org/10.1016/j.chiabu.2023.106058>
- xx Government of New South Wales, Department of Communities and Justice. (2019). *Family Is Culture Review Report*. <https://csi.nsw.gov.au/content/dam/dcj/dcj-website/documents/children-and-families/family-is-culture/family-is-culture-review-report.pdf>
- xxi young person interview
- xxii young person interview
- xxiii young person interview
- xxiv young person interview
- xxv young person interview
- xxvi young person interview
- xxvii young person interview
- xxviii young person interview
- xxix young person interview
- xxx Dudgeon, P., Blustein, S., Bray, A., Calma, T., McPhee, R., & Ring, I. (2021). *Connection between family, kinship and social and emotional wellbeing*. Australian Institute of Health and Welfare. <https://www.indigenoumhspsc.gov.au/publications/family-kinship>
- xxxi Gee, G., Dudgeon, P., Schultz, C., Hart, A., & Kelly, K. (2014). *Aboriginal and Torres Strait Islander social and emotional wellbeing*. In P. Dudgeon, H. Milroy, & R. Walker (Eds.), *Working together: Aboriginal and Torres Strait Islander mental health and wellbeing principles and practice* (2nd ed., pp. 55–68). Australian Government Department of the Prime Minister and Cabinet. <https://www.telethonkids.org.au/globalassets/media/documents/aboriginal-health/working-together-second-edition/wt-part-1-chapt-4-final.pdf>

-
- xxxii Newton, B. J. (2025). *No child left behind: Insights from reunification research to liberate Aboriginal families from child abduction systems*. *Genealogy*, 9(3), 74. <https://doi.org/10.3390/genealogy9030074>
- xxxiii Tilmouth, W., Doolan, V., Vadiveloo, J., & Lorains, J. (2025). *Apmeregentyele—Our Systems, Our Children, Our Safety, Our Wellbeing*. *Genealogy*, 9(3), 95. <https://doi.org/10.3390/genealogy9030095>
- xxxiv young person interview
- xxxv young person interview
- xxxvi young person interview
- xxxvii Stein, M. (2012). *Young people leaving care: Supporting pathways to adulthood*. Jessica Kingsley Publishers.
- xxxviii Australian Institute of Health and Welfare. (2025). *Specialist homelessness services annual report 2024–25: Clients leaving care*. AIHW, Australian Government. <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report>
- xxxix United Nations Committee on the Rights of the Child, General Comment No. 12 (2009): The right of the child to be heard, CRC/C/GC/12.
- xl UNICEF, Engaged and Heard! Guidelines on Adolescent Participation and Civic Engagement (New York: UNICEF, 2019).
- xli Muir, S., Purtell, J., Hand, K., & Caruana, C. (2019). *Beyond 18: The longitudinal study on leaving care* (Final report). Australian Institute of Family Studies.
- xlii Tilbury, C. (2004). The influence of performance measurement on child welfare policy and practice. *British Journal of Social Work*, 34(2), 225–241. <https://doi.org/10.1093/bjsw/bch023>
- xliiii United Nations. (1989). *Convention on the Rights of the Child*, Article 4.
- xliv Australian Institute of Health and Welfare, Specialist Homelessness Services Annual Report 2024–25: Clients Leaving Care (AIHW, 2025).
- xlv Muir, S., Purtell, J., Hand, K., & Caruana, C., *Beyond 18: The Longitudinal Study on Leaving Care* (Final Report) (Australian Institute of Family Studies, 2019).
- xlvi Scottish Government. (2018). *Corporate parenting: Guidance for corporate parents*. [Section 58: Corporate Parenting Responsibilities - Statutory guidance on Part 9 \(Corporate Parenting\) of the Children and Young People \(Scotland\) Act 2014 - gov.scot](#)
- xlvii Victorian Government. (2025). *Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill 2025*. Parliament of Victoria.