



**yourtown**  
POWERING **kids**helpline

## Growing Child Safe Organisations in Queensland Consultation Regulatory Impact Statement

A submission to the Queensland Government  
Department of Child Safety, Seniors and  
Disability Services

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**yourtown** is a trusted provider of services for young people, with a focus on mental health and wellbeing, parenting and early childhood development, long-term unemployment, prevention of youth suicide, child protection, and support for those experiencing domestic and family violence. **yourtown** has evolved to helping hundreds of thousands of young people each year through a range of service offerings, supporting them through many difficult challenges.

### **Our services**

- Employment, education, and social enterprise programs to help long term unemployed young people re-engage with education and/or employment
- Domestic and family violence refuge, accommodation, and therapeutic supports for women and their children, including post-refuge support
- Accommodation and therapeutic supports for young parents and their children at high risk
- Parentline, a telephone and online counselling and support service for parents and carers in the Northern Territory and Queensland
- Expressive Therapy interventions for young children and infants who have experienced trauma and abuse, or been exposed to violence
- Young Parents Program providing parenting support to help with child development, life skills and health and wellbeing activities in safe, supportive environments.
- Kids Helpline, providing professional counselling and support to 5–25-year-olds across Australia since 1991
- Kids Helpline @ School and Kids Helpline @ High School, which delivers early intervention and prevention programs through primary and secondary schools
- My Circle, a confidential, private, online peer support network for 13–25-year-olds to share information and build coping skills, and
- Mental health service/s for children aged 0-11 years old and their families, with moderate mental health needs.

### **Kids Helpline**

**yourtown's** Kids Helpline is Australia's only free and confidential 24/7 phone and online counselling service for any young person aged 5 to 25. It offers children and young people a range of care options that are right for their needs and circumstances. Our commitment to being there anytime, and for any reason, has meant that we have responded to more than 8.7 million contacts from children and young people nationally in the 32 years since our service was first established, whilst also providing tens of millions of self-help interactions via our website and social channels. In 2022, our Kids Helpline counsellors responded to nearly 145,000 contacts from children and young people across Australia, including 5,026 crisis responses for children and young people at imminent risk of harm.

### **Family and Domestic Violence Refuge and Transitional Housing**

Our Family and Domestic Violence Refuge offers supported accommodation for up to 12 weeks. A specialised team provides women and children with a safe and welcoming environment and creates opportunities for mothers to re-build self-concept and experience control and empowerment over their lives. The wrap-around care also includes linking with transitional housing and community outreach programs. **yourtown** also provides transitional housing for women and children exiting refuges. Transitional housing is a vital steppingstone for women and children moving towards long-term, safe and sustainable independent living in the community. In 2022/23, we supported 73 mothers and their young children in our refuge and 14 families in our transitional housing.

### **Children and Families**

**yourtown** provides accommodation and intensive individualised support to vulnerable young parents and their children through our San Miguel service. For over 40 years, San Miguel has provided a place to call home for vulnerable and at-risk families. In 2022/23, San Miguel supported 35 parents and 38 infants and young children.

## **Early Childhood Development Programs**

We support vulnerable pre-school aged children to make a successful transition to school by using prevention and early intervention approaches to create health families and strong, child-friendly communities. This includes working with parents to better understand their child's barriers to reaching social development milestones, how to help them thrive at school, collaborative case management and support, and in-home help. In 2022/23, we supported 179 families in Queensland and Tasmania.

## **Employment Services**

For over 20 years **yourtown** has been delivering specialist youth employment services. Our employment services programs, including Transition to Work, Skilling Queenslanders for Work, Get Back in the Game, and ParentsNext, provide young people with training to expand their options and help them find sustainable employment. Over the last seven years we have secured more than 37,000 job placements for young people. During 2022/23 there were more than 4,000 commencements in our employment services in Queensland, New South Wales, and South Australia.

## **Social Enterprises**

**yourtown** has worked with young people and employers to break down barriers to sustainable employment for more than 20 years. As a leader in work-based enterprises we provide young people at risk of long-term unemployment paid jobs in the following areas: construction, landscaping, and asset maintenance to help their transition to open employment. In 2022/23, 201 young people were employed in our social enterprises across Queensland, New South Wales, South Australia, and Tasmania, with 90% transitioning into longer term employment in the open labour market or progressing into education.

## **ParentsNext**

We provide specialised support for parents with children under six years of age, to plan and prepare for their future employment in regional South Australia, from Port Pirie. Our primary goal for ParentsNext is to empower parents to embrace life changes, improve their skills and self-confidence, and achieve their education and employment goals. More than 1,200 young parents participated in our ParentsNext program since it commenced in July 2018.

## **Parentline**

Parentline offers free confidential phone and webchat counselling and support for parents and carers of children in Queensland and the Northern Territory. It offers a safety net for families by providing support when it is most needed. This includes after hours and weekends, where families feel isolated and where local services are unavailable. In 2022/23, parents and carers in Queensland and the Northern Territory attempted to contact Parentline over 12,000 times.

**yourtown** welcomes the opportunity to respond to the Queensland Government's Consultation Regulatory Impact Statement (CRIS) on options for the implementation of child safe standards and a reportable conduct scheme in Queensland.

## Proposed options for reform

We acknowledge the work the Queensland Government has conducted in this space, for example: the Child Protection Reform Amendment Bill 2017 and the introduction of legislative changes to support positive long-term outcomes for children in the child protection system, the safe care and connection of Aboriginal and Torres Strait Islander children with their families, communities and cultures, and a contemporary information sharing regime for the child protection and family support system; and the Supporting Families Changing Futures 2019-2023 whole-of-government strategy as part of the 10-years child and family reform program. However, the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) released its final report in 2017 and Queensland is severely lagging behind other states and territories in adopting the recommendations on implementing child safe standards and a reportable conduct scheme. Queensland is one of two states/territories that has not commenced work on developing child safe standards and one of three states/territories to not have a reportable conduct scheme. The Government needs to act with urgency and not delay their work to increase the safety and wellbeing of children.

The option of maintaining the status quo in relation to current child safe standards in Queensland is completely unacceptable. The status quo would leave thousands of children and young people across Queensland exposed to potential maltreatment and to be the subject of predators who manipulate and use the current system to their advantage.

The option of a non-legislative system in Queensland is also an unacceptable option. Queensland needs a system 'with teeth'. It needs a strong legislative model that provides legal protection for reporting allegations of misconduct against children, and legal obligations to do so. Without establishment under legislation, the system will remain ineffectual, lacking sufficient power to compel evidence to report, prosecute, or even re-assess a person's eligibility to hold a Blue Card.

The only adequate option is to introduce a legislative scheme, with sufficient power to compel reporting, obtaining of evidence, investigation, and prosecution.

## The proposed options do not go far enough

Action also needs to be taken to address abuse of children in family and community contexts.

While this was outside the terms of reference of the Royal Commission, this form of abuse was widely acknowledged throughout the inquiry. It was because of the broader nature of abuse that the need for a comprehensive national strategy was highlighted as one of the 409 recommendations handed down by the Royal Commission.

The proposed reforms provide the opportunity for the Queensland Government to establish a system that improves the safety and wellbeing of *all* children and young people regardless of their setting. The new system should also align with the themes of the National Strategy to Prevent and Respond to Child Sexual Abuse which is for: children and young people; victims and survivors of child sexual abuse of all ages; families, kin, and carers; communities; and organisations and governments. These themes include:

- awareness raising, education and building child safe cultures
- supporting and empowering victims and survivors
- enhancing national approaches and responses to children who display sexual behaviours that are harmful to themselves or others

- offender prevention and intervention, and
- improving the evidence base on what works in child sexual abuse prevention and supporting survivor recovery and healing.

**yourtown** strongly supports:

1. the creation of a legislative scheme in Queensland that:
  - a. establishes an integrated child safe organisational system to implement the child safe standards (CSS),
  - b. establishes an oversight body to receive and investigate complaints under a reportable conduct scheme (RCS),
  - c. aligns with the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) recommendations for a nationally consistent RCS, and
  - d. aligns with the National Strategy to Prevent and Respond to Child Sexual Abuse themes to protect children and young people regardless of their setting.

## General comments

**yourtown** has over 60 years of nationally acquired experience working with vulnerable and at-risk children and young people across Australia. This experience has been obtained through delivery of a range of youth employment services, domestic and family violence and family residential support services, social enterprises, and child and family programs. Further, for over 32 years **yourtown** has also delivered Kids Helpline, Australia's only national free and confidential 24/7 phone and online professional counselling service for young people aged 5 to 25. In Queensland, we currently provide a range of face-to-face services including parenting and early childhood development programs, transitional housing for women and families escaping domestic violence, child mental health and wellbeing programs, education engagement programs, employment services, and social enterprises.

At **yourtown** we have a strong culture of ensuring that all young people who engage with us not only *are safe but feel safe*. We have embedded safeguarding policies into our practice, which apply to staff, volunteers, board members, and third-party providers. We are also currently subject to reportable conduct schemes in NSW, Victoria, ACT, Tasmania and Western Australia.

This extensive experience has informed our response to the Queensland government's proposed reforms. Key issues that we believe should be central to the development of a legislative scheme include:

- a nationally consistent approach (including information-sharing between jurisdictions)
- recognition of the cost for organisations and
- a human centred design approach for the RCS governance and operations that is informed by the voices of survivors of child sexual abuse, embedding, amongst other things, a trauma responsive approach to working with victims of child maltreatment.

## Developing a consistent and comparable approach

As a national organisation, **yourtown** has observed firsthand the complications that ensue when an organisation operates in multiple jurisdictions, and every jurisdiction adopts different mechanisms, or nuanced reportable conduct schemes. **yourtown**, like other organisations who have a mandate across jurisdictions, have already developed their systems and policies in line with the Royal Commission recommendations. The Queensland Government should acknowledge and recognise these organisations and the work they have already completed in this space.

The Royal Commission recommended states and territories legislatively require organisations engaged in child-related work to comply with the 10 CSS to create child safe organisations. The CSS have been adopted by various governments and organisations throughout Australia as the baseline approach to child safety and wellbeing in organisations. States and territories are each at different stages of implementing the CSS and RCS.

The Royal Commission also found systemic failings of organisations to properly deal with the conduct of their employees/volunteers where allegations of child abuse were not being properly investigated, and children not being protected. This occurred regardless of whether the organisations and associated adults were obliged to report and where cultures of secrecy and organisational reputation were prioritised above the safety of children.

Each jurisdiction has tailored their approach to complement their existing regulatory environments, and therefore have differing applications of the CSS and RCS. This has resulted in jurisdictions having different RCS, specifically, definitions of what is reportable conduct, what is not reportable conduct, notification timeframes and details to be provided, jurisdictional reporting boundaries, and findings that can be made. For organisations that work across jurisdictions, this has resulted in either the development of multiple policies and practices, or one massive policy that deals with them all. RCSs that include reporting across neighbouring jurisdictions work well and increase the safety of children, however it should go further and include reporting across all jurisdictions.

**yourtown** supports:

- the creation of a legislative scheme in Queensland that provides for an integrated child safe organisational system to implement the child safe standards, and
- that the scheme aligns with the recommendation of the Royal Commission for a nationally consistent RCS scheme

The legislative scheme must also enable Information-sharing of pending reportable conduct allegations/investigations with the Blue Card Check services in Queensland and the equivalent Government screening units in other states and territories, organisations, and other jurisdictions, both for employees and ex-employees. To facilitate this process, privacy principles need to be relaxed to enable information-sharing. These principles need to act in the best interest of children.

As it stands now, if an employee suspected of abuse of a child resigns prior to an official investigation commencing, the organisation is not permitted to share allegations of misconduct that were about to be formally commenced with another organisation that employs or seeks to employ the individual in question. This loophole currently enables people engaging in suspect behaviour to continue working with children, especially when these individuals' cross jurisdictions to access new employment opportunities. The RCS must have mechanisms that enables organisations to inform another organisation seeking to employ the ex-employee (regardless of what jurisdiction they are in), that a reportable conduct complaint has been lodged. Access to the names of individuals of pending investigations should also be available to other states and territories for the purpose of working with children's checks in their relevant jurisdictions. This loophole that prevents the reporting and investigation of ex-employees suspected of misconduct must be closed, regardless of whether the employee obtains employment elsewhere, or moves interstate.



**yourtown** recommends implementing legislative mechanisms:

- to compel organisations to share information with the Blue Card Check services in Queensland and the equivalent Government screening units in other states and territories
- to enable information sharing between organisations and jurisdictions of pending investigations into reportable conduct, and
- to ensure privacy principles that enable information-sharing

**yourtown** supports the proposed option (3b) in the CRIS of a co-regulatory model, comprising a single, independent oversight body to support organisations to implement the CSS. This body should also be in charge of overseeing institutional child abuse complaints and allegations through a RCS in Queensland. Having one body reduces the risk of information not being shared when there are multiple oversight entities across departments. Supporting organisations that do not have an appropriate co-regulation (e.g. sporting and religious organisations), alongside those that have already been involved in this space, will ensure all organisations have equal priorities and are working towards the same goal.

**yourtown** recommends establishing a co-regulatory model that implements one oversight body in Queensland to support organisations and administer the RCS

## Recognising the cost for organisations

When governments design new systems, particularly those relating to compliance, services that are subjected to this compliance do not receive funding to assist them develop internal systems and processes to meet the new requirements. To facilitate the integration to a child safe organisations system, organisations delivering services in this space, particularly not-for-profits, should be appropriately supported and funded to meet CSS and RCS requirements. As part of any tender or grant process, organisations would need to demonstrate how this additional funding would be used to meet CSS and RCS requirements. During the contract, the funds would need to be acquitted to ensure appropriate checks and balances are in place and the organisation is in fact 'child safe'.

**yourtown** recommends:

- that the government fund services, particularly not for profits, to cover the administrative and practice costs related to compliance for CSS and RCS, and
- that services who participate in tender and grant processes demonstrate how funds would be used to meet CSS and RCS requirements.

## Using human-centred and co-design

The Royal Commission heard from thousands of survivors of child sexual abuse during the inquiry.

The voices and lessons learned from each of the participants in these sessions should not be forgotten, and the learnings from the Royal Commission should form the basis of the design and delivery of the governance, inquiry and investigation model of the proposed new oversight body for the RCS.

Particular attention should also be given to Volume 7 of the Royal Commission, 'Improving institutional responding and reporting'.

Letting these voices inform the design of this new oversight body and pro-actively working with survivors of child sexual abuse (who are appropriately supported using a trauma

informed approach), will help to design a 'survivor' friendly oversight body. It is critical that the oversight body is not an additional body imposed on survivors, but a body that works with them, understands them, does not re-traumatise them, but supports them on the journey as reportable conduct allegations are made and investigated.

The design of the new integrated child safe organisations system should be informed by the stakeholder groups in it. Hence, any human-centred design and co-design process should include not just the children and young people but also their families, carers, and services that support them.

The oversight body should also be designed to meet the differing needs of Aboriginal and/or Torres Strait Islander children and young people and those identifying as from a culturally and linguistically diverse (CALD), or other backgrounds (such as LGBTIQIA+) so that cultural safety is embedded into the proposed child safe organisations system. While it is admirable that the CRIS aims to find ways to embed cultural safety in the integrated child safe organisations system, it needs to go further and recognise the diverse needs of children and young people who are more vulnerable than others. These cohorts include:

- those who have already experienced abuse or maltreatment
- children with disabilities and mental health issues
- LGBTIQIA+ children and young people
- those who live in out-of-home care, and
- those rely on services and supports.

We also note that the Australian Government, in partnership with state and territory governments consulted with a range of stakeholders when developing the National Strategy to Prevent and Respond to Child Sexual Abuse. The Queensland Government should consider targeted consultation with these stakeholder groups given its diverse population and regions/locations. The consulted stakeholders included:

- victims and survivors of child sexual abuse and their advocates
- Aboriginal and Torres Strait Islander communities
- people with a disability
- CALD communities
- people who identify as LGBTIQIA+
- children and young people and their advocates, and regional and remote communities.

**yourtown** recommends:

- working with survivors of child sexual abuse, and adopting the learnings from the Royal Commission in its design of the new RCS oversight body, and
- conducting targeted consultation with more stakeholder groups who may be affected by the system.

We would welcome the opportunity to explore these issues with you in further detail. Should you require further information about any issues raised in the submission, please do not hesitate to contact Dr Marion Byrne, Head of Strategic Partnerships and Advocacy at **yourtown** via email at [mbyrne@yourtown.com.au](mailto:mbyrne@yourtown.com.au).