

Mr N Laurie
The Clerk of the Parliament
Legislative Assembly of Queensland
Parliament House
Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 25 August 2005 forwarding a copy of petition No. 522-05 tabled in the Parliament on 24 August 2005 concerning the Private Members Bill "*Child Protection (Recognition of Relative Carers) Amendment Bill*".

As you are aware, this Bill remains before Parliament and seeks to amend eligibility for payment of allowances to relative carers without requiring them firstly to apply for formal approval as foster carers and without the relative child being assessed as in need of protection.

During recent parliamentary debate on this matter the Honourable Peter Beattie, Premier and Treasurer, and I have provided recognition of the invaluable role that grandparents (ie relatives) play in providing support and care for their grandchildren. I have similarly, during correspondence and in direct contact with the Council of Grandparents and KinCare (grandparents' support group), offered understanding on grandparents' struggle in balancing financial and practical demands whilst undertaking care of their grandchildren.

My previous comments opposing the proposed Bill, have emphasised its incongruence with the legislative purpose and spirit for administering the *Child Protection Act 1999*, including:

- families having the primary responsibility for the upbringing, protection and development of their children (Section 5 (c));
- a parent of a child is the child's mother, father or someone else (other than the chief executive) having or exercising parental responsibility for the child (Section 11 (1));
- a child in need of protection, being a child who has suffered harm, is suffering harm, or is at unacceptable risk of suffering harm; and does not have a parent able and willing to protect the child from the harm (Section 10 (a) & (b));
- harm to a child, being any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing (Section 9 (1));
- the Children's Court making of a child protection order only after it is satisfied that the protection sought to be achieved by the order is unlikely to be achieved by an order made under this part on less intrusive terms (Section 59 (1) (e));

- the Chief Executive must take reasonable steps to ensure a child who, for the purpose of this Act, is placed in the care of an approved foster carer, licensed care service or departmental care service, is cared for in a way that meets [the Statement of Standards] (Section 122 (1)); and
- regulations under the Act ensure adherence to the Statement of Standards including certification of approval for individuals electing to care for children under the care of the state; refusal, restrictions and/or cancellations of [carer's] applications/approval; and disclosure of criminal history, domestic violence history and traffic history prior to the granting of a certificate of [carer] approval.

As an adjunct to this matter, the Premier took the issue of national level support for grandparents to a Council of Australian Governments (COAG) meeting in June 2004. As a result of this approach and through ongoing championing on this issue, COAG continues its investigation into this matter. In reiterating Queensland's leadership in raising this matter, the Federal Parliamentary Secretary for Children, Ms Susan Ley, extended her thanks to the Queensland Government at a recent FACE to FACE national forum held in Brisbane.

Existing and proposed State/Australian government and non-government programs/initiatives that aim to support relative carers include:

- the Queensland Government's announcement of the expansion, through the provision of \$100 000 dollars, of the Seniors Inquiry Line, to ensure that information about available services is provided to grandparent carers;
- the Department of Child Safety's development later in the year of an information kit to assist grandparents who are caring for their grandchildren following statutory child protection intervention;
- relative carers' access to family mediation services through Dispute Resolution Services and Relationships Australia during occasions of family conflict and/or when involved with the Family Law Act;
- access to counselling and family support services through either the Family Court, Legal Aid and/or Centrelink; and
- the Australian Government's 2005-06 budget commitment of a special grandparents' child care benefit, covering the full cost of up to 50 hours of child care fees for approved carers.

A report into grandparents caring for grandchildren as undertaken by the Community and Disability Services Ministers Conference will shortly go back to COAG for consideration.

It is anticipated that through the above programs/initiatives and the ongoing work being done through COAG, that further Australian Government responses to this matter will ensue.

I trust this information is of assistance. Should you have any questions relating to the information provided in this response, please contact Mr Michael Power, Director, Strategic Policy and Research Branch on: 34043502.

Yours sincerely



HON MIKE REYNOLDS AM MP
Minister for Child Safety