

Submission to the Queensland Child Safety Commission of Inquiry

Corporate parenting and the links between the child safety and youth justice system

23 January 2026

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Acknowledgement of Country

We acknowledge the Jagera and Turrbal people as the Traditional Custodians of Meanjin (Brisbane), the lands on which PeakCare is physically located - where we meet, work and learn - and acknowledge the Traditional Custodians of all lands across Queensland. We pay respects to their Elders past and present, and extend that respect to emerging leaders.

We acknowledge the strength, wisdom and resilience of Aboriginal and Torres Strait Islander children, young people, families, and communities, who continue to nurture their cultures, share their stories and uphold their knowledge systems.

At PeakCare, we honour the enduring connection First Nations peoples have to land, waters, skies and community. We remain committed to listening deeply, walking alongside, and creating a future where Aboriginal and Torres Strait Islander voices are heard, valued and respected.

About PeakCare

PeakCare is a not-for-profit peak body for the child and family services sector in Queensland. Its vision is that Queensland's children, young people, and families, in all their diversity, are thriving with access to support, when and where it is needed.

PeakCare's purpose is to improve the wellbeing of Queensland's children, young people, and families by championing innovation, creating impactful partnerships, anchoring its actions in evidence, driving forward-thinking advocacy, and amplifying the voice of its members and the sector.

PeakCare's members are non-government organisations who deliver child and families services across the continuum of life and need, from early supports through to statutory kinship, foster, and residential care across Queensland. PeakCare's membership includes associate members who are aligned to PeakCare's vision and purpose.

Introduction

PeakCare Queensland Incorporated (**PeakCare**) welcomes the opportunity to continue to assist¹ the Commission of Inquiry into the Queensland Child Safety System (**Child Safety Inquiry**). This submission responds to the Child Safety Inquiry's Call for Submissions in December 2025, in respect of "*corporate parenting and the links between the child safety and youth justice systems*". Due to the intersections between the Child Safety and Youth Justice systems, with the common drivers of demand in both tertiary systems being disadvantage and child maltreatment, this Call for Submissions is important to PeakCare and its members.

PeakCare is committed to evidence-based policy and programs that uphold the safety, wellbeing, and rights of children, young people, their families, and victims of crime, and that enhance community safety. PeakCare acknowledges the harm caused by criminal activity to victims of crime. These victims of crime include many children and young people who are known to the Child Safety and Youth Justice systems.²

¹ Mr Thomas James Norbert Allsop, Chief Executive Officer, PeakCare Queensland Incorporated, gave evidence at the Cairns public hearings in September 2025. His evidence is part-heard. Mr Allsop's Outline of Evidence was tendered into evidence on 15 September 2025. A Supplementary Outline of Evidence was provided by Mr Allsop to the Inquiry in November 2025.

² See Children's Court of Queensland Annual Report 2022-23.

PeakCare recognises the over representation of First Nations children and families in the Child Safety and Youth Justice systems. PeakCare is committed to self-determination and to working in partnership with the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (**QATSICPP**) and First Nations peak bodies and community-controlled organisations.

PeakCare and its member organisations are committed to working with all Queensland Government departments and agencies, non-government providers, and community-controlled organisations, to reduce family's engagement in the Child Safety system, and fundamentally improve outcomes for children known to the Child Safety and Youth Justice systems, and/or in care or youth detention.

PeakCare engages with and listens to young people who are in care and/or youth detention. With the permission of these young people, PeakCare draws on their lived experience as powerful voices which help shape this submission. This aligns to the right for children to be heard and their views to be given weight in all matters affecting them,³ a foundational principle in the United Nations Convention on the Rights of the Child that Australia is a party to.

PeakCare is preparing further submissions to support the Child Safety Inquiry in recommending solutions to improve the child safety system, prevent care entries, and better support children in care.

³ United Nations Convention of the Rights of the Child, Article 12.

Executive Summary

Preventing children from entering care and providing better services to children in care and youth detention as their corporate parent cannot be achieved by the Child Safety system in isolation.

Children growing up in families with multiple challenges - such as family and domestic violence, parental mental health concerns, parental substance misuse, housing insecurity, and poverty - have a higher risk of experiencing child maltreatment, receiving a Child Safety and/or care intervention, and of having poorer life outcomes than the general population. Their children are also more likely to be known to the Child Safety system, perpetuating an intergenerational cycle.

To be safe, well, thriving, to heal from experiences resulting in entry to care, and address the root causes of offending behaviours, children need services and supports across multiple government portfolio areas, including health, education, mental health, housing, and the National Disability Insurance Scheme (**NDIS**).

PeakCare advocates for a whole of Queensland government priority focus on reducing disadvantage and preventing child maltreatment. This will require new investment in coordinated, culturally safe, and accountable services provision to vulnerable children and their families across multiple portfolios areas. PeakCare believes that this could best be achieved by the following reforms:

- **A Queensland Government Minister for Children.** Establish a dedicated ministry for children with a mandate to implement a whole-of-government approach that prioritise the needs of vulnerable children and the prevention of child maltreatment. A Minister for Children would represent children's interests in Cabinet, focusing on child development and wellbeing by strengthening universal and secondary services for vulnerable children and their families. This approach could target investment and early services and supports for cohorts that are disproportionately represented in the Child Safety system. For example, priority populations could be parents with unborn child harm reports; First Nations children and families; young parents (under 20 years of age); parents with a care experience; and children transitioning from care or youth detention to independent adulthood.
- **A new corporate parenting framework for children in and transitioning from care.** Legislating a corporate parenting scheme that identifies government entities with corporate parenting responsibilities, mandates these entities publish and regularly report on plans which identify specific and evidence-base outcomes for children, and holds these entities accountable. This would better support the safety, health, and access to dedicated and fulsome supports for children in and transitioning from care or youth detention to thrive across their life course.

In respect of residential care, there is an over-representation of children in residential care in the Youth Justice system compared to children in foster or kinship care placements. This is a result of the higher complexity of children in residential care and a structural problem built into the design of the residential care system in Queensland. It does not reflect on the commitment of the residential care workforce to support children in their care.

The exponential and continued growth, cost, and worker health and safety concerns in Queensland's residential care system raises very serious concerns.⁴ Residential care is the most costly and labour-

⁴ In its opening hearing on 23 July 2025, the Child Safety Inquiry underlined that the number of children in residential care in Queensland grew by 85 per cent between 2018 to 2023. Moreover, that this growth is a phenomenon unique to the State of

intensive model of care. Despite this, children with a residential care experience face significantly poor outcomes than their peers in home-based care. The residential care workforce can also be better supported.

For **residential care**, PeakCare advocates for:

- a root cause analysis of the drivers of Queensland's reliance on residential care placements and the identification of a suite of programs and responses to address these;
- increasing both financial and non-financial supports and services for kinship care and foster care, targeted at placement stability and improving outcomes for children in their care; and
- a commitment and funding for the implementation of the "*Foundations of the future – building a workforce that carers, connects and evolves, Queensland Workforce Strategy*" (the **Residential Care Workforce Strategy**) (at **Attachment A**).

PeakCare's previous submission on youth justice

PeakCare is contributing to current inquiries into youth justice; the Australian Senate Legal and Constitutional Affairs Reference Committee into *Australia's Youth Justice and Incarceration System*⁵ and the Queensland Parliament Education, Arts and Communities Committee inquiry in the *Youth Justice (Electronic Monitoring) Amendment Bill 2025*.⁶

To assist the Child Safety Inquiry and avoid duplication, PeakCare has listed and annexed its submissions in response to current and previous inquiries, strategies, and legislative changes in respect of youth justice over the last 18 months at **Attachment B** to this submission.

PeakCare's ongoing commitment to assisting the Child Safety Inquiry and its contributions to date

This submission contributes to PeakCare's ongoing commitment to assist the Child Safety Inquiry in its important work to improve the outcomes for children, young people, their families, and the broader community.

PeakCare's Chief Executive Officer, Mr Tom Allsop, gave evidence at the Child Safety Inquiry's public hearings in Cairns on 15 and 16 September 2025. Mr Allsop's evidence has not been concluded at this time. Mr Allsop's evidence is supported by an Outline of Evidence, tendered into evidence by the Child Safety Inquiry on 15 September 2025, and a Supplementary Outline of Evidence.

Mr Allsop's Outline of Evidence assists the Child Safety Inquiry with the following areas:

- The role and work of PeakCare.
- The causes of the growth in statutory Child Protection in Queensland.
- The strong preference to place children who enter statutory care into kinship or foster care.

Queensland. In this respect, 40 per cent of Australian children in residential care were in Queensland, despite the state only having 21 per cent of the nation's children, between 2018 to 2023. See Child Safety Commission of Inquiry, 23 July 2025, at transcript pg. 18.

⁵ See

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/YouthJustice2025.

⁶ See <https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=269&id=6559>.

- How to better support foster and kinship carers in Queensland.
- The issues facing residential care in Queensland.
- The urgent need to reduce the residential care numbers in Queensland, and prevent entries, most particularly for children under 12 and especially for children under four.
- The current approach to residential care in Queensland.
- Why the model of residential care in Queensland must be therapeutic.
- Availability of medical treatment in residential care.
- First Nations children in residential care.
- The residential care workforce in Queensland and the training and supports provided to them.
- PeakCare's role in increasing the capacity of the residential care workforce, including through training.
- The regulation of residential care providers and the need for new processes to licence providers, which should be undertaken independently to the Department.
- The employment structures adopted by residential care providers.
- The outcomes framework for children in statutory care in Queensland but the failure to monitor, report, collect data to measure against it.
- The approach taken to transitioning children from residential care.
- What is being done to get children out of residential care.

Mr Allsop Supplementary Outline of Evidence, provided to the Child Safety Inquiry in November 2025, set out the following:

- Responds to the Child Safety Inquiry Commissioner's invitation to provide a possible structure through which practical assistance can be given both in terms of early intervention to prevent a child from entering State care, and to better deliver services once a child is in State care. Specifically considering:
 - systemic reports into the Child Safety system across jurisdictions and their findings and recommendation themes;
 - a whole of Queensland Government commitment, framework, and reporting to provide vulnerable children and their families with the right support, at the right time (which refers to the "*Getting it Right For Every Child*" (**GIRFEC**) model in Scotland);
 - a proposed "*Corporate Parenting*" model for children in care in Queensland, with reference to "*The Promise*" in Scotland, a legislated whole of government commitment to children in care that mandates guidance and regular public reporting on progress;
 - a focus on priority populations, including parents with unborn child harm reports, children transitioning from care to independent adulthood, Aboriginal and Torres Strait Islander children who are significantly overrepresented in the Child Safety system;
 - critical Child Safety system enablers required to deliver actionable intelligence, drive continuous improvement, and transparency.
 - improvements to the residential care system including:
 - forecasting future demand for residential care in Queensland;

- the importance of the Child Safety department to committing to and investing in, as a priority, the implementation of the Residential Care Workforce Strategy to put into practice the key priority areas.
- the Child Safety department establish a business unit and model like Queensland Country Practice (**QCP**), a division in Queensland Health, for residential care workers. This would enable a pool of already accredited and employed casual workers to be available for flexible and immediate support to regional residential care providers for short and medium term causal relief placements (either immediate or to cover planned leave) in regional and remote areas;
- work health and safety, capability uplift and ongoing training and development for residential care workers;
- examples of standard residential care house models and the number of individual staff required to fill a 7-day roster where services are provided on a continuous 24-hour cycle;
- understanding and addressing the root causes of Queensland's over reliance on residential care;
- Supporting kinship care and foster care, which the evidence clearly demonstrates provides for greater stability and significantly better outcomes for the majority of children than residential care.
- Information requested by the Child Safety Inquiry on two models of care being implemented in Australia that the Child Safety Inquiry requested being Treatment Foster Care Australia - QLD (**TFCA-QLD**) and the “*Mockingbird Model*.”
- Definitions and useful terms in the child and family service system.

PeakCare's support for self-determination

This submission, Mr Allsop's Outline of Evidence and Supplementary Outline of Evidence, and Mr Allsop's evidence, all build on the fundamental need for reforms to the Child Safety system to be:

- underpinned by a commitment to self-determination for Aboriginal and Torres Strait Islander children, young people, and families;
- supporting and expanding delegated authority⁷ aligned to the position of Aboriginal and Torres Strait Islander communities and community organisations; and
- implementing the Aboriginal and Torres Strait Island Child Placement Principle (**ATSICPP**) to the standard of ‘*active efforts*’⁸, to keep children connected to their family, culture, community, and country.

⁷ The *Child Protection Act 1999 (Qld)* under section 148BB(1) provides for the Chief Executive of Child Safety to delegate one or more of their function or powers under that Act in relation to an Aboriginal or Torres Strait Islander child who is either in need of protection or likely to become in need of protection.

⁸ Active efforts are purposeful, thorough and timely efforts, supported by legislation and policy, that enable the safety and wellbeing of Aboriginal and Torres Strait Island children.

PeakCare Submission

The Call for Submission Questions

In December 2025, the Child Safety Inquiry invited submissions in respect of “*corporate parenting and the links between the child safety and youth justice systems*” (**Call for Submissions**). The Call for Submissions sets out specific questions, inclusive of sub-questions, see **Attachment C**.

This submission responds globally to questions in the Call for Submissions that are relevant to the work, experience, and expertise of PeakCare and its members, set out **below**.

- “*Is the Department an effective corporate parent and is it meeting community expectations in relation to parenting, particularly in respect of:*
 - *children and young people who are placed in non-family-based (residential) care;*
 - *young people in care who are known to both the child safety system and the youth justice system;*
 - *young people who are transitioning out of detention into care and care into adulthood?*
- *What is the link, if any, between the child safety system and the youth justice system? For instance, do elements of the child safety system operate as a ‘feeder system’ to the youth justice? What are the factors contributing to children in care entering the youth justice system?*
- *The experiences of non-family based (residential care workers), foster carers and kinship carers, in dealing with children in care who are known to the youth justice system and/or youth offenders.*”

PeakCare respectfully submits that the terminology in the Call for Submissions referring to the Child Safety as a “*feeder system*” into the Youth Justice system may be viewed as disparaging to children, young people, their families, carers, and workers.

PeakCare respectfully submits that the intersection between the Child Safety and the Youth Justice systems are disadvantage, child maltreatment, and the over reliance on residential care in Queensland.

Proposed practical approach to improve the effectiveness of Child Safety

The Honourable Paul Anastassiou KC, Commissioner, of the Child Safety Inquiry has invited assistance with practical structure, allowing for the flexibility to meet individual needs of a child, to prevent entries into care and better deliver services to children and young people in care.

PeakCare is appreciative of Commissioner’s invitation and uses this submission to propose reforms for the Child Safety Inquiry’s consideration.⁹

⁹ See the invitation by the Honourable Paul Anastassiou KC, Commissioner, Commission of Inquiry into the Queensland Child Safety System, to Mr Thomas James Norbert Allsop, Chief Executive Officer, PeakCare Queensland Incorporated, during Mr Allsop’s evidence at the public hearings in Carins, in September 2025.

Is the Department an effective corporate parent?

A ‘Corporate Parent’

The State of Queensland can assume parental responsibilities for a child by operation of the *Child Protection Act 1999 (Qld) (Child Protection Act)* and the *Youth Justice Act 1992 (Qld) (Youth Justice Act)*.

The Child Protection Act does not use the term ‘corporate parent’. However, as the departments responsible for Child Safety (**the Child Safety Department**) and Youth Justice (**the Youth Justice Department**) are not natural persons they can be referred to as a ‘corporate parent’ as they have parental functions for children in care or youth detention.

In Queensland, the role of a corporate parent is exercised by either or both the Child Safety Department or the Youth Justice Department. In practice, the parenting responsibilities are assumed by:

- The Department of Child Safety for a child placed in the custody or guardianship of the Chief Executive of the Child Safety Department under the Child Protection Act.
- The Department of Youth Justice for a child in youth detention, for functional parental-type responsibilities for the child’s care, such as daily supervision, discipline and control, safety, and wellbeing.
- The Department of Child Safety for a child in the custody or guardianship of the Child Safety Department and in youth detention. In these circumstances, the Department of Child Safety has parental responsibility, and the Department of Youth Justice has functional parental-type responsibility for the daily supervision of the child.

Many jurisdictions have debated whether children in need of protection and who offend should be governed under one unified legislative framework. This is effectively a question of whether children are primarily offenders or primarily in need of care.

In this respect, many children who offend are victims of abuse or neglect, have multiple unmet needs and/or disabilities. A child centred and rights-based approach recognises the considerable overlap between the Child Safety and Youth Justice systems.

A unified legislative framework could prioritise the care, health, disability support, education, health planning, rehabilitation, and wellbeing of the child. This approach could also provide clarity for the government entity who is responsible for the child, supporting more timely decision making and reducing the risk of children’s needs unintentionally being unmet due to service boundaries between the Child Safety and Youth Justice systems.

A unified legislative framework could also support community safety by prioritising children’s rehabilitation to reduce the risk of child re-offending.

The Responsibilities of the State as a ‘Corporate Parent’

Child protection is a state responsibility in Australia. Child protection systems across Australian jurisdictions are subject to national and international policies, primarily the *United Nations Convention on the Rights of the Child (UNCRC)*. The UNCRC is the principal instrument setting out the human rights of children.

Australia ratified the UNCRC on 17 December 1990, and it became legally binding in Australia on 16 January 1991. This means that Australia is obligated to follow the UNCRC and ensure domestic laws and policies align with its principles.

The preamble of the UNCRC states that children, by reason of their physical and mental immaturity, need “*special safeguards and care, including appropriate legal protection, before as well as after birth.*”¹⁰ A ‘child’ is defined as below the age of 18 years of age.¹¹

The UNCRC declares that in all actions concerning children, including those undertaken by social welfare institutions, courts or legislative bodies, the best interests of the child shall be a primary consideration.¹² It seeks to ensure that every child is safe, receives care and is protected. It recognises that all children have the same rights regardless of their background, ability, gender, culture, or family situation. These rights include to grow up healthy, safe, and supported physically, emotionally, and educationally and to express their views in matter affecting them, with their views to be taken seriously.

The UNCRC is reflected in the Child Protection Act and Queensland Youth Justice Act. The Child Protection Act and the Youth Justice Act establish a child-centred, rights-based approach for children involved in the Child Safety and Youth Justice systems.

Both the Child Protection Act and Queensland Youth Justice Acts reflect the UNCRC core principles by prioritising the best interests of the child¹³, emphasising family involvement,¹⁴ promoting cultural connection¹⁵, promoting rehabilitative responses, limiting the statutory removal of children¹⁶, the role of child detention as a last resort¹⁷ and the right to self-determination of First Nations children.

The Making Queensland Safer Bill

The *Making Queensland Safer Act 2024* (Qld) (**Making Queensland Safer Act**), associated with the mantra ‘adult time, adult crime’, amended the Youth Justice Act and the *Bail Act 1980* (Qld).

The Making Queensland Safer Act allows for prescribed offences such that children can be sentenced to the same penalties as adults. This undermines the UNCRC that recognises children, by reason of their physical and mental immaturity, need special safeguards and care, including appropriate legal protection.

The Making Queensland Safer Act imposed stricter bail provisions for children charged with prescribed offences and increased the likelihood that they would remain in custody. This is inconsistent with the UNCRC and the Youth Justice Act that state youth detention should be the last resort.

The Making Queensland Safer Act also disproportionately impacts First Nations children, who are significantly overrepresented in the Child Safety and Youth Justice systems.

¹⁰ Convention on the Rights of the Child, Preamble.

¹¹ Convention on the Rights of the Child, Article 1.

¹² Convention on the Rights of the Child, Article 3.

¹³ Convention on the Rights of the Child Article 3; *Child Protection Act 1999* (Qld) s. 5A; and *Youth Justice Act 1992* (Qld) general principles.

¹⁴ Convention on the Rights of the Child Article 5, 18; *Child Protection Act 1999* (Qld) s. 4; and *Youth Justice Act 1992* (Qld) s. 5B.

¹⁵ Convention on the Rights of the Child Article 8, 30; *Child Protection Act 1999* (Qld) s. 4; and *Youth Justice Act 1992* (Qld) s. 5C.

¹⁶ *Child Protection Act 1999* (Qld) s. 10, a child is in need of protection due to having suffered harm, or being at an unacceptable risk of suffering harm, and without a parent who is willing or able to protect the child from such harm.

¹⁷ *Youth Justice Act 1992* (Qld) s. 150(a).

An effective corporate parenting model

An effective corporate parenting model is one that ensures children in and transiting from care are safe, healthy, educated, and reach their full potential. It must be more than high level aspirations enshrined in legislation.¹⁸

What makes an effective corporate parenting model was considered in the United Kingdom by the All-Party Parliamentary Group for Care-Experienced Children and Young People (**APPG Care Group**). This is an informal group of Members of Parliament and Peers who share a common interest in promoting the voice of care-experienced children and young people and better informing or influencing government policy for the care system.

The APPG Care Group recognised that children in care continued to have disproportionately poor outcomes that impacted their lives and life chances.¹⁹ In 2023, APPG Care Group undertook an inquiry into the effectiveness of the corporate parenting model.

The APPG report, “*Inquiry on Extending Corporate Parenting Responsibility across the Public Sector Final Report*” (at **Attachment D**), made 14 recommendations to improve the effectiveness of a corporate parenting model.²⁰ The recommendations are sanguine for any new corporate parenting model for Queensland, summarised below:

- Action focused corporate parenting responsibilities with strong legal weighting.
- Publication of guidance material setting out corporate parenting organisations and the ways in which they can be fulfilled, how they will be held accountable, and examples of best practice.
- Legislation conferring corporate parenting responsibilities onto a broad range of public sector bodies and organisations.
- Funding for training, advice, guidance, and support to corporate parenting organisations to enable them to effectively fulfil their responsibilities and promote best practice.
- Corporate parenting organisations be required to develop and publish corporate parenting plans every three years and submit progress reports annually. These plans should have SMART objectives for how organisations will fulfill their corporate parenting responsibilities over this period, an action plan for delivery and how plans have been informed by the views of care-experienced young people.
- Government oversight and enforcement measures for a failure of a corporate parenting organisation to submit corporate parenting plans and progress reports.
- The government develop and publish a cross government corporate parenting plan every three years, which brings together strategic objectives and plans from across government departments, as well as publishing an annual progress report.

¹⁸ Aspirations such as to act in the best interests of care-experienced children and young people, promote their health and wellbeing, and listen to their wishes and preferences.

¹⁹ All-Party Parliamentary Group for Care-Experienced Children and Young People, “*Inquiry on Extending Corporate Parenting Responsibility across the Public Sector Final Report*”, March 2024, pg. 4.

²⁰ The All-Party Parliamentary Group for Care-Experienced Children and Young People report acknowledged that the government had already committed to strengthen and extend corporate parenting responsibilities across the public sector, accepting the recommendation from the “*The independent review of children’s social care – Final report*, May 2022 (known as the MacAlister Review), at www.gov.uk/government/groups/independent-review-of-chilren-s-social-care, and building on the reforms in Scotland where 26 public bodies were named as corporate parents.

- An independent body such as the Children's Commissioner's Office be funded to develop and publish a shadow corporate parenting report every three years based on consultation with care-experienced young people about progress to date and areas for improvement.
- Relevant regulators, inspectorates and ombudsman organisations ensure that assessments of how well corporate parenting organisations are complying with corporate parenting responsibilities are adequately reflected in relevant regulatory frameworks.
- An independent body such as the Children's Commissioner's Office be given additional powers to hold corporate parents to account (e.g. receive complaints about flagrant or systemic breaches; compel information as part of investigating complaints; write to corporate parenting organisations setting out remedial action that they must take to ensure compliance; undertake enforcement action and impose penalties if not taken).
- The government fund and implement a workforce development program to upskill frontline professionals who work with care-experienced children and young people, including building their understanding of the impact of trauma.
- The government improve and increase the collection of data relating to children and young people's outcomes, which is disaggregated by care experience.²¹

Jurisdictional Examples - Corporate Parenting Models

Scotland

The ambition in Scotland is to be the best place in the world for children to grow up, where all children and young people are loved, treated with respect, have their voices heard, their rights respected, and their outcomes improved.

To achieve this ambition, “*Getting it right for every child*” (**GIRFEC**) is a bipartisan commitment and framework for improving child wellbeing and outcomes through a rights-based, early intervention, and coordinated, services approach. GIRFEC is legislated in the *Children and Young People (Scotland) Act 2014*. GIRFEC aims to create a more successful country, give opportunities to all people living in Scotland, increasing wellbeing, creating sustainable and inclusive growth, reducing inequalities, and giving equal importance to economic, environmental, and social progress.²²

“The Promise” – corporate parenting model

“*The Promise*” is the corporate parenting model in Scotland for children in care or at the edges of the care system. It aims to ensure that they grow up loved, safe and respected.²³

“*The Promise*” is legislated in the *Children and Young People (Scotland) Act (2014)*. This Act establishes a framework for Corporate Parenting at Part 9, by defining who corporate parents are (s. 56), the specific children and young people they apply to (s. 57), their key responsibilities (s. 58), and the requirement for

²¹ All-Party Parliamentary Group for Care-Experienced Children and Young People, “*Inquiry on Extending Corporate Parenting Responsibility across the Public Sector Final Report*”, March 2024.

²² See [Getting it right for every child \(GIRFEC\): policy statement - gov.scot](#).

²³ The “*The Promise*” has its origins in the Scottish “*Independent Care Review*” commenced in October 2016 that was “*an independent root and branch review of the care system*” to look at “*the underpinning legislation, practices, culture and ethos*”. The Independent Care Review published seven reports, including: “*The Promise*”; “*The Plan*” (how the change must happen); “*The Money*” and “*Follow the Money*” (explaining how Scotland can invest better in its children and families); and “*The Rules*” (how the legislative framework needed to change to achieve “*The Promise*”).

those bodies (e.g. local authorities, health boards) to create, review, and publish plans to promote the well-being of children in care and care leavers (s. 59).

This legislative mandate in Scotland requires corporate parents to take responsibility for children in care and to improve their life chances, and plan and work together. The corporate parenting responsibilities go beyond the department responsible for child protection and extend to a range of public bodies, making them jointly accountable for ensuring children in or leaving care have the same opportunities as other children.

Scotland has distilled what a corporate parent is all about to asking the question “*would this be good enough for my child?*”

See: A Rights Respecting Approach to Justice for Children and Young People: Scotland’s Vision and Priorities, 2024-2026, pg. 8

“*The Promise*” is a broadly supported vision for children with a care experience. However, its effective implementation has been impacted by workforce pressures, siloed service systems, insufficient investment, and inconsistent delivery. These challenges can be addressed in developing a new corporate parenting model in Queensland, to include:

- clear practical guidance on what a corporate parenting model requires for staff in their day-to-day work and decision making for children;
- practical training and guidance to embed rights based and trauma-informed practice;
- new workforce investment, such as in supervision, reflective practice, and pay and conditions to uplift capability and increase retention;
- guidance and training across all services (e.g. education, health, youth justice);
- new investment in mental health, community based and family supports services dedicated for children with a care experience and their families;
- specific measurements to track progress and outcomes; and
- dedicated focus on reducing reliance on residential care, crisis, and secure placements for children in care.

Children Engaged in the Youth Justice System

The Scottish approach to children in conflict with the law recognises that reducing offending behaviours requires addressing the root causes of each child’s behaviour in a trauma informed way. This approach is not just about supporting children to understand the impact of their conduct on themselves and others, nor just about holding children accountable for their actions, it is about recognising each child’s potential and providing them with the support they need to succeed.²⁴

The approach is outlined in “*A Rights Respecting Approach to Justice for Children and Young People: Scotland’s Vision and Priorities*” is at **Attachment E**. It is based in the evidence of links between children experiencing psychological trauma and adversity in childhood, victimisation, and criminalisation later

²⁴ “*A Rights Respecting Approach to Justice for Children and Young People: Scotland’s Vision and Priorities*”, 2024-26, pg. 3 at [Justice for children and young people: vision and priorities 2024-26](#).

in life. The approach is to support children and their families impacted by psychological trauma and adversity to prevent and mitigate offending and re-offending as well as the likelihood of falling victim to violence in adulthood.

The Scottish approach aims to divert children away from offending towards a future filled with promise and opportunity. The intent is to provide children with effective supports to meet their individual needs and address the circumstances which have caused them to offend. If a period of detention is required, it must be in a trauma informed setting.

This more preventative approach in Scotland aligns with a 92 per cent reduction in the number of children and young people prosecuted in Scotland's courts and a 97 per cent reduction in 16 and 17 year olds being sentenced to custody between 2008-09 to 2021-22.²⁵

By investing in our children and providing them with the tools and opportunities they need to thrive, we not only reduce harm, crime and recidivism but also build stronger, more resilient communities.

A Rights Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities

Victoria

A Minister for Children

In 2023, Victoria established its first dedicated Minister for Children. The new ministry reflected a major new policy priority for the government to bring together the work across government that supports children and families. This included the *Best Start, Best Life* early childhood education reforms, continuing to drive improvements to the child protection system, and providing a whole of government focus on child development and wellbeing.²⁶

The Minister for Children is a voice for children at cabinet. The portfolio is focused on shifting services for children from tertiary and crisis driven response to a prevention, early intervention and wellbeing.

Reforms in the State of Victoria - Corporate Parenting – Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill 2025

In Victoria on 2 December 2025, the “Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill” (**Supporting Stable and Strong Families Bill**) was introduced into Parliament (at **Attachment F**).

Leveraging off the Scottish model and its success, the Supporting Stable and Strong Families Bill amends the Children, the *Children, Youth and Families Act 2005* (Vic) and the *Child Wellbeing and Safety Act 2005* (Vic) to:

“Create a legislative framework to improve collaboration across Government and better support vulnerable children, young people, and families. The Bill incorporates shared responsibilities

²⁵ “A Rights Respecting Approach to Justice for Children and Young People: Scotland's Vision and Priorities”, pg. 5.

²⁶ Media release, Premier of Victoria, Hon Jacinta Allan MP, New Cabinet to Keep Delivering for Victorians, 2 October 2023, <https://www.premier.vic.gov.au/new-cabinet-keep-delivering-victorians>.

across the Victorian Government to enhance service access and support earlier intervention for children, young people, and families at risk of, or already involved with, Child Protection.”²⁷

The objective of the Supporting Stable and Strong Families Bill is to achieve a fundamental shift in how government cares for the most vulnerable children and young people. It seeks to move away from a reactive referral model to a proactive, collective responsibility model. The aim is to provide comprehensive supports that promote earlier interventions to support families stay together and to address the diverse needs of children in care.

The Supporting Stable and Strong Families Bill proposes legislative scheme, the “*Supporting Stable and Strong Families scheme*” (**SSSF Scheme**). The SSSF Scheme recognises that when the State takes responsibility for a child’s care every Victorian government department becomes a part of that child’s support structure.

It introduces responsibilities across government, mandating integrated planning and service delivery across government areas such as housing, health, education, and justice. It seeks to be more than an aspiration and instead holds Ministers and departments accountable for their role in supporting vulnerable children and families through mandating reporting on outcomes for children and families.

To encourage the SSSF Scheme to provide early intervention, the definition of “*vulnerable children*” includes children who are involved in or at risk of coming to the attention of the child protection system and/or whose families are receiving family services.

The initial focus on the SSSF Scheme will be children and families with the highest needs, those involved in Child Protection and recent care leavers. Over time, the SSSF Scheme will extend to:

- children under the age of 18 who are receiving, have received, or require but are not receiving, services from a community service;
- children under the age of 18 whose primary family carer is receiving, has received, or requires but is not receiving, services from a community service;
- care leavers under the age of 15; and
- parents and household members of children subject to Family Preservation Orders and Family Reunification Orders.²⁸

Ministers will release Supporting Stable and Strong Families plans every two years, which outline the actions to be taken by responsible individuals within portfolios. These plans will be tabled in the Victorian Parliament and include:

- a vision and specific, measurable objectives focused on the well-being and development of children and young people;
- detailed action plans outlining steps to achieve objectives, and ensure adequate resources (e.g. staffing allocation and material) are allocated;
- fostering collaboration with other responsible individuals, agencies, and communities; and
- systems for monitoring implementation, evaluating outcomes, and making necessary adjustments to improve effectiveness.

²⁷ The Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill, Second Reading Speech, the Hon. Ben Carroll, Minister for Education, Minister for WorkSafe, and Minister for the TAC, 3 December 2025. Hansard, Legislative Assembly 60th Parliament, Wednesday 3 December 2025, Bills, pg. 5368.

²⁸ The Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill, Second Reading Speech (pg. 5370).

At the conclusion of the two-year plan, the responsible Ministers will be required to release a report outlining the progress against these plans. Outcome measures will include the areas of health, education, justice, housing, Aboriginal self-determination, and employment.

In the Second Reading Speech, the Hon. Ben Carroll recognised that whilst the Supporting Stable and Strong Families Bill focuses on how government works together, its success will be measured by the impacts this has on the lives of vulnerable children and families. Successful outcomes identified will include:

- fewer families coming into contact with the Child Protection system;
- children who do enter the Child Protection system being safely reunified with families sooner; and
- children who cannot be reunified with their families, having outcomes equivalent to their peers across education, health, housing, employment, justice system involvement, and connection to culture.

In summary, the Supporting Stable and Strong Families Bill, aims to hold Ministers and department heads accountable to proactively provide vulnerable children and families with the help they need, when they need.

Should the Supporting Stable and Strong Families Bill become law, its effectiveness will depend on factors including the level of financial investment, its prioritisation within government agendas, and the robustness of its implementation and accountability framework.

Is the Queensland Child Safety Department an Effective Corporate Parent?

Children born into families with multiple challenges - family and domestic violence, parental mental ill-health and/or substance misuse, socio-economic stress, and/or engagement in the criminal justice system – are at a greater risk of experiencing maltreatment.²⁹ Child maltreatment brings children to the attention of the Child Safety system. If the challenges in families are not addressed, children can be removed from their families under the Child Protection Act and placed in care.

The prevalence of child maltreatment (physical abuse, sexual abuse, emotional abuse, neglect or domestic violence) in Australia is known from the from the landmark Australian Child Maltreatment Study (**ACM Study**).³⁰ For children with a care experience, the ACM Study found that the prevalence of child maltreatment was significantly higher and more intense than the general population.³¹

Therefore, as a corporate parent the Child Safety Department needs to:

- support children to heal from the impacts of maltreatment prior to their entry into care; and

²⁹ Higgins, D.J., Herrenkohl, T. I., Lonne B., Scott, D., “Advancing a prevention-oriented support system for the health and safety of children”, Children and Youth Services Review 159 (2024) 107521, pages 1-2.

³⁰ Haslam, D., Mathews, B., Pacella, R., Scott, J. G., Finkelhor, D., Higgins, D. J., Meinck, F., Erskine, H. E., Thomas, H. J., Lawrence, D., & Malacova, E. (2023). *The prevalence and impact of child maltreatment in Australia: Findings from the Australian Child Maltreatment Study: Brief Report*. Australian Child Maltreatment Study, Queensland University of Technology.

<http://doi.org/10.5204/rep.eprints.239397>. The ACM Study found that 61 per cent of Australians had experienced one type of child maltreatment, and one in four had experienced three to four types. The ACM Study found prevalence rates of maltreatment among people aged 16 to 24 included: 28.2 per cent experienced physical abuse; 25.7 per cent experienced sexual abuse; 34.6 per cent experienced emotional abuse; 10.3 per cent experienced neglect; and 43.8 per cent experienced exposure to domestic violence.

³¹ Harris LG, Higgins DJ, Willis ML, Lawrence D, Meinck F, Thomas HJ, Malacova E, Scott JG, Pacella R, Haslam DM, “Dimensions of child maltreatment in Australians with a history of out-of-home care. *Child Maltreatment*”2025 August, 30(3):525-39.

- provide services and supports enable children to be healthy, well, meet developmental milestones, meaningfully engage in education, and reach their potential in and transitioning from care.

The effectiveness of the Child Safety Department as a corporate parent can be assessed against the rights of the child identified in the UNCRC, the Child Protection Act and the Youth Justice Act.

The “Queensland Care Services Outcomes Framework” (**the Care Outcomes Framework**) sets out the outcomes that the Child Safety Department aims to achieve for children in care (at **Attachment G**). The Care Outcomes Framework aligns with the UNCRC and the Child Protection Act. It is structured around five domains to improve the life outcomes of children in care, namely:

- **Safe and nurtured:** children and young people feel cared for and nurtured in stable environments, safe from abuse, neglect, violence, and harm.
- **Connected:** children and young people feel a strong sense of identity and belonging, have stable and long-lasting relationships with family and friends and are connected to culture and community.
- **Achieving:** children and young people learn and develop to their full potential.
- **Healthy:** children and young people make healthy lifestyle choices and access health care services.
- **Resilient:** children and young people have strong social and interpersonal skills and feel confident to pursue life goals and manage challenges.

The Care Outcomes Framework identifies indicators and measures of success for children in care, which are aligned to the five domains. However, there is no dedicated public reporting by Child Safety Department directly against the Care Outcomes Framework.

In Queensland, the experiences and outcomes for children in care are captured in reporting by the Queensland Family and Child Commission (**the QFCC**). The Child Safety Department also undertakes an annual Children in Care Census.

The QFCC “*Performance of the Queensland child protection system 2024-25 Annual Report*” found that children in care, and in particular children in residential care, had:

- low educational enrolment, poor attendance, high rates of exclusion from school, and poor educational attainment;
- multiple and complex needs, which were beyond the existing residential care model to provide for;
- limited disability and mental health supports;
- significant unmet needs; and
- faced higher risks of homelessness, poor mental health, and early deaths after transitioning from care.³²

The QFCC found that children in detention experienced harm, including self-injury, and had limited access to therapeutic supports. Further, because many youth offenders had child protection involvement and were themselves victims of crime that they needed trauma-informed supports and services.

³² Queensland Family & Child Commission report on the “*Performance of the Queensland child protection system 2024-25 Annual Report*”, pg. 3.

The QFCC concluded that poor long-term outcomes for children in care reflected missed opportunities for earlier and more effective intervention.

Data from the 2024 Children in Care Census³³ identified children in care had multiple and complex needs and insufficient supports and services to meet these needs, for example:

- 31 per cent of children had limited or severely limited intellectual functioning / development delay.
- 20 per cent of children had a suspect mental illness or behavioural disorder. Further, 31 per cent had unmet support needs in relation to their mental illness, and it was unknown whether 18 percent had unmet support needs in relation to their mental illness.
- 41 per cent of children have a diagnosed or suspect disability and/or neuro-development disability.
- 33 percent of children aged six to 16 years had been excluded or suspended from an education facility in the past.
- Children in care on youth justice orders had more negative experience whilst in care, including an increased likelihood of school exclusions, being absent from care, and having more than four care placements.
- High rates of unmet need for young people transitioning from care. For example, within 12 months of transition from care, 58 per cent of care leavers required NDIS support applications and 29 per cent requiring housing support applications which had not been submitted. Further, almost two-thirds were not yet registered with Centrelink and 11 per cent did not have a leaving care plan.
- For the 54 per cent of young people transitioning to adulthood requiring public housing, 71 per cent will be on a waitlist for public housing.

From the available data and research, the Child Safety Department is falling short of the obligations under UNCRC and Queensland legislation as a corporate parent. The experiences and outcomes for children who have been in care (particularly residential care and youth detention) do not meet those of the general population. The impacts on children of care or youth detention are lifelong and intergenerational, with their children of more likely to be known to Child Safety.³⁴

The multiple and complex unmet needs and poor outcomes for children with a care experience have been considered extensively in inquiries, reports and research. Longitudinal studies have also shown that children with a residential care experience have significantly poorer outcomes than children with a home-based care experience (foster care or kinship care) and/or who remained with their families. For example:

- The *Looked After Children Grown Up Project*³⁵ in the United Kingdom focused on understanding the long-term outcomes and adult experience of people who were in care as children. It found that children with a residential care experience were three times more likely to have died than children who stayed with their parents, were more likely to have no qualifications, live in rented accommodation, and were less likely to be employed.³⁶

³³ Department of Families, Seniors, Disability Services and Child Safety, “*Children in Care Census 2024*”.

³⁴ See PeakCare Queensland Inc “*Draft Hope & Healing Literature Review - For Residential Care*”, July 2025.

³⁵ See <https://www.nuffieldfoundation.org/project/looked-after-children-grown-up>.

³⁶ Sacker, A., with Murray, E., Lacey, R, and Maughan, B. “*The lifelong health and wellbeing trajectories of people who have been in care, Findings from the Looked-after Children Grown Up Project*”, July 2012, page 12.

- The “*Pathways of Care Longitudinal Study – Improving the long-term outcomes of children in Out-of-Home Care*” (**Pathways of Care Study**) funded by the NSW Government commenced in 2011. It is a large-scale longitudinal study of children and young people in out-of-home care in NSW focusing on the child development domains of physical health, socio-economic wellbeing, and cognitive/learning ability. The Pathways of Care Study shows that children with a residential care experience have lower school engagement, attendance and achievement, are more likely to be suspended or excluded, are less likely to meet national literacy and numeracy benchmarks and are more frequently involved in the justice system.

The complex array of adversities factors that bring children to the attention of the Child Safety and Youth Justice systems, such as inadequate housing, disengagement from education or training, poverty, family and domestic violence, parental mental illness and/or substance misuse, are largely not within the remit or budget of the Child Safety Department to address. This significantly limits the Child Safety Department’s ability to be an effective corporate parent and to promote the rights of children. Key examples of these limitations include:

- **Limited access to health care:** children in care tend to have multiple and complex health needs, poor physical health, development delays and compromised mental health. Despite the needs, they have limited access to health care compared to the rest of the community.³⁷ The Department of Health is responsible for the provision of health care to children. Whilst Queensland does not capture state-wide data or report against the “*National Clinical Assessment Framework for Children and Young People in Out-of-Home Care*” (**the Clinical Assessment Framework**), evidence from experts and carers is that Queensland is not compliant with the Framework.³⁸

For example, Preliminary Health Checks are not routinely commenced as soon as possible (and no later than 30 days) after a child enters care to determine areas of immediate concern. Similarly, a Comprehensive Health and Developmental Assessment is not routinely completed within 3 months of a care placement.

- **Over representation in school exclusions and disengagement in education:** despite education being a protective factor for children in care, they have been shown to be over represented in school exclusion.³⁹ Further, disengagement from education is a significant precursor to youth involvement in criminal activities.⁴⁰ The Department responsible for education and schools is best placed to identify and support students with learning difficulties and behavioural issues.

³⁷ The “*National Clinical Assessment Framework for Children and Young People in Out-of-Home Care*” recognises that children and young people in statutory care tend to have multiple and complex health needs, poor physical health, development delays and compromised mental health. It also recognises that children and young people in statutory care tend to experience very limited access to health resources that are otherwise routinely available to the rest of the community. Compounding this situation, the large number of placements experienced by some children and young people often leads to reduced availability of information about their past medical history, inconsistent maintenance of accurate information about their current health status and consequently poor continuity of health care.

³⁸ It is widely accepted in Queensland and other Australian jurisdictions, and the Child Safety Inquiry has heard evidence from health professional and carers at its Cairns public hearings that there is limited, inconsistent and significant delays in access to assessments and health care for children in care.

³⁹ Graham, Linda J., Killingly, Callula, Alexander, Matilda, & Wiggans, Sophie (2024) Suspensions in QLD state schools, 2016-2020: overrepresentation, intersectionality and disproportionate risk. *Australian Educational Researcher*, 51(4), pp. 1527-1558.

⁴⁰ See

Kirstie O'Hare ^a, Stacy Tzoumakis ^{a b}, Oliver Watkeys ^a, Ilan Katz ^c, KristinR. Laurens ^{a d}, Merran Butler ^e, Felicity Harris ^a, Vaughn J. Carr ^{a f g}, Melissa J. Green, “*Out-of-home care characteristics associated with childhood educational underachievement, mental disorder, and police contacts in an Australian population sample*”, *Child Abuse and Neglect*, Volume 139, May 2023, 106120.

- **Unmet disability support needs:** the QFCC “*Performance of the Queensland child protection system 2024–25 Annual Report*” reported that only 69.2 per cent of the children in care with a recorded disability had an approved NDIS plan. Children in foster care with a recorded disability were most likely to have a NDIS plan, at 86 per cent. Whereas children in kinship care had the lowest at 50.3 per cent.⁴¹
- **Adverse outcomes from detaining children:** detention disrupts children’s education, health care, family connection, cultural identity, and community supports. Evidence from the Queensland Child Death Review Board shows that repeated detention is a risk factor for self-harm, chronic instability, and adult imprisonment.⁴² Children with an experience of detention are also at increased risk of reoffending.⁴³
- **Inhuman treatment and failing to foster the health and dignity of children:** Queensland imposes some of the toughest youth detention conditions in Australia, including detaining young people in adult watchhouses and legislation to override the rights of the child. Detention environments do not consistently meet standards relating to safety, dignity, education, health, cultural connection, time out of cell, and freedom from isolation and restraint.⁴⁴ Children in detention centres have described the unsuitability of Police Watchhouses environments to PeakCare.

“People were yelling while I was trying to sleep, adults being admitted and they’re under the influence. If I could change watchhouses I’d make them cleaner and just more respectful.”

Child in a youth detention centre (2024)

- **Ineffective planning and reintegration support after custody:** poor transition planning, particularly for housing and support services, often leads to children returning to criminal behaviour.

The Queensland Audit Office report, “*Reducing serious youth crime (Report 15: 2023-24)*”, found that transition planning from detention to the community was not evidence-based, the Youth Justice Department could not explain the rational for only planning for the first 72 hours after a young offender’s release, and that a longer period than 72 hours of transition planning was needed.⁴⁵ Research also shows that a lack of stable housing significantly increases the risk of reincarceration.⁴⁶

Children in detention centres have told PeakCare what they need when released from youth detention. They have asked to be connected to mentors and role models and for assistance to gain employment.

⁴¹ Queensland Family & Child Commission, “*Performance of the Queensland child protection system 2024–25 Annual Report*”, pg. 80.

⁴² Queensland Family and Children Commission, Inquiry into Australia’s Youth Justice and Incarceration System “*Submission to the Australian Federal Senate Legal and Constitutional Affairs Reference Committee*”, December 2025, pg. 4.

⁴³ Queensland Audit Office, “*Reducing serious youth crime (Report 15: 2023-24)*”, pg. 18.

⁴⁴ Queensland Family and Children Commission, Inquiry into Australia’s Youth Justice and Incarceration System “*Submission to the Australian Federal Senate Legal and Constitutional Affairs Reference Committee*”, December 2025, pg. 4.

⁴⁵ Queensland Audit Office, “*Reducing serious youth crime (Report 15: 2023-24)*”, pages 3, 33, 34

⁴⁶ Queensland Family and Children Commission, “*Queensland Child Rights Report 2023: Spotlight: Youth Justice in Queensland*”.

PeakCare acknowledges and welcomes funding allocated in the 2025-26 budget for the “*Staying on Track*” program through the Department of Youth Justice and Victims. This funding is aimed at helping children and young people successfully transition out of youth detention and to reduce re-offending.

To evaluate the effectiveness of the “*Staying on Track*” program, an independent evaluation framework and the collection of baseline data at the outset and ongoing data is recommended. This would support quality and consistent data collection and avoid the difficulties of retrospective evaluation and distinguishing the effects the “*Staying on Track*” program from unrelated reforms.

“I needed someone to call, like a mentor, when I got out last time.”

“We need good role models. They should pay for more role models and less juvies [youth detention centres].”

“I want to buy stuff with my own money. If I get a job, I would feel so proud of myself.”

“Next time I get out I am ready to try a job. I want to think about what I want to do when I get out and make a plan.”

“I’ve been doing a horticulture certificate, I want to get a job when I get out. Anything outdoors.”

Children in a youth detention centre (2024)

Youth Justice

The purpose of the Youth Justice system is to keep the community safe, to hold a child that commits an offence accountable and respond in a way that promotes their rehabilitation and reintegration into the community.

Youth offending in Australia has been in decline for over a decade.⁴⁷ This trend is consistent in Queensland, with youth offending having declined from a rate of per 100,000 persons aged 10 to 17 years 3,575.8 in 2008-09, to 1,828.1 in 2023-24.⁴⁸

The Queensland Audit Office’s report, “*Reducing serious youth crime 2023-24*”, findings included:

- Youth crime accounts for only a small percentage of overall crime in Queensland. The percentage has decreased from 17 per cent of overall crime in 2011-12 to 13 per cent in 2022-23.
- Most children and young people who offend commit a small number of offences and are diverted away from the Youth Justice system.

⁴⁷ Australian Institute of Health and Welfare, “*Youth Justice in Australia 2022-23*”, 2024; Productivity Commission, “*Report on Government Services 2024: Youth Justice*”, 2024, Australia Bureau of Statistics, Recorded Crime – Offenders, 2023-24, released 06/03/2025, at <https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-offenders/latest-release>.

⁴⁸ Australian Bureau of Statistics, Recorded Crime – Offenders, 2023-24, released 06/03/2025, at pg. 2.

<https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-offenders/latest-release>.

- A small proportion of children and young people do reoffend and commit serious offences. Between 2018-19 and 2022-23, serious repeat youth offenders have increased from 278 to 547. Further, in 2022-23, 55 per cent of all youth crime in Queensland was committed by repeat offenders.⁴⁹

Youth detention in Australia has increased, and most children in youth detention are on remand.⁵⁰

The QFCC has highlighted that Queensland spends more on youth justice than any other Australian jurisdiction, with the cost of detention-based supervision per day per child or young person being \$2,086.32.⁵¹ Further, that the percentage of children and young people who return to detention in Queensland has been consistently high.⁵² The Queensland Audit Office's report found that between 2018-19 and 2022-23, \$1.38 billion was spent on youth justice. This included \$1.25 billion for detention centres and services and internal programs, and \$134 million in outsourced programs and services.⁵³

What is the link, if any, between the child safety system and the youth justice system?

The link between the Child Safety and Youth Justice systems are the experiences of children known to both experiencing disadvantage and maltreatment.

In 2022, the Youth Justice Census found that of the 1,605 young offenders:

- 53 per cent had experienced or been impacted by domestic and family violence;
- 33 per cent had a mental health and/or a behavioural disorder;
- 45 per cent were disengaged from education, training or employment;
- 30 per cent have been living in unstable and/or unsuitable accommodation;
- 19 per cent had active Child Protection orders;
- 27 per cent had a disability (suspected or assessed), including 17 per cent who had a cognitive or intellectual disability; and
- 27 per cent had at least one parent who has spent time in adult custody.⁵⁴

The social determinants of children known to the Child Safety and Youth Justice systems have been identified in numerous reports, including the Queensland Child Protection Commission of Inquiry report *“Taking Responsibility: A Roadmap for Queensland Child Protection”* June 2013 (**Carmody Report**).⁵⁵ More recently by the Australian Human Rights Commission in its report *“Help way earlier! How Australia can transform child justice to improve safety and wellbeing”* in August 2024.

⁴⁹ Queensland Audit Office, “Reducing serious youth crime (Report 15: 2023-24).

⁵⁰ Australian Institute of Health and Welfare, “Youth detention population in Australia 2024”, at <https://www.aihw.gov.au/reports/youth-justice/youth-detention-population-in-australia-2024/contents/about>.

⁵¹ Queensland Family and Child Commission, “Inquiry into Australia’s youth justice and incarceration system. Submission to the Australian Federal Senate Legal and Constitutional Affairs References Committee”, December 2025, pg. 5.

⁵² Queensland Family and Child Commission, “Inquiry into Australia’s youth justice and incarceration system. Submission to the Australian Federal Senate Legal and Constitutional Affairs References Committee”, December 2025, pg. 6.

⁵³ Queensland Audit Office, “Reducing serious youth crime (Report 15: 2023-24), pg. 20.

⁵⁴ Queensland Government, Department of Children, Youth Justice and Multicultural Affairs (2022), Youth Justice Census Summary Statewide.

⁵⁵ “Taking Responsibility: A Roadmap for Queensland Child Protection” June 2013 pg. 36.

PeakCare also draws the Child Safety Inquiry's attention to the reports and their recommendations in respect of Child Safety and Youth Justice systems, which are synthesised in the June 2024 report of the Australian Institute of Family Studies and the Australian Human Rights Commission, "*Improving the safety and wellbeing of vulnerable children. A consolidation of systemic recommendations and evidence.*" This report analysed 61 state, territory and Commonwealth commissions and inquiries reports into Child Safety and Youth Justice systems between 2010 and 2024 and identified six consistent themes set out below.

1. **System coordination:** inadequate cross-system information sharing, collaboration and coordination across child protection and youth justice systems;
2. **Cultural appropriateness:** limited First Nations partnerships and self-determination across child protection and youth justice systems;
3. **Monitoring and evaluation:** lack of mechanisms for oversight, monitoring and transparency across child protection and youth justice systems;
4. **Workforce capacity:** limited child protection and youth justice workforce capacity and support;
5. **Investment:** inadequate levels of investment across child protection and youth justice systems; and
6. **Voice of the child:** limited opportunities for child voice and participation within child protection and youth justice systems.⁵⁶

What are the factors contributing to children in care being known to the youth justice system?

Disadvantage, maltreatment, and a care experience (particularly of residential care) are key risk factors for children being known to the Youth Justice system.

In Victoria, the Sentencing Advisory Council examined the intersection of child protection and youth justice systems in 2019. Their report, '*Crossover Kids': Vulnerable Children in the Youth Justice System*'⁵⁷ (**Cross Over Kids Report 2019**) (at **Attachment H**), found that:

- Children in care, particularly residential care, are some of the most vulnerable, traumatised, and disadvantaged children in the community.
- First Nations children were significantly over-represented among children known to both youth justice and child protection systems.
- The younger children are at first sentence, the more likely they are known to child protection.
- Children sentenced to custody are more likely to be known to child protection.
- Children in care, and in particular in residential care, were over-represented in the youth justice system. In this respect, of the children in care who were sentenced or diverted 58 per cent were in residential care.

⁵⁶ Australian Institute of Family Studies and the Australian Human Rights Commission, "*Improving the safety and wellbeing of vulnerable children. A consolidation of systemic recommendations and evidence*", June 2024. state, territory and Commonwealth commissions and inquiries reports between 2010 and 2024 and identified six consistent themes across 3,000 recommendations.

⁵⁷ Sentencing Advisory Council, "*Crossover Kids': Vulnerable Children in the Youth Justice System. Report 1: Children Who Are Known to Child Protection among Sentenced and Diverted Children in the Victorian Children's Court*", June 2019.

The Cross Over Kids Report 2019 considered the impact of trauma on a child's brain, as disrupting healthy development with children feeling constantly in crisis mode, hyper-vigilant and over-reacting to minor event. Further, for children in care, they may have been removed from their community, friends and family which can compound their trauma and result in their over-representation among sentenced and diverted children.⁵⁸

The Cross Over Kids Report 2019 report identified a specific and measurable indicator of success of any reforms to the residential care system, namely the reduction over time in the proportion of sentenced children who have experienced residential care.

In New South Wales, longitudinal studies have shown that children with residential care experience are more likely to be engaged in the justice system.⁵⁹

The report of the Australian Senate's Legal and Constitutional Affairs Reference Committee, "Australia's youth justice and incarceration system" considered the 'social determinants of justice' and highlighted a care experience as a key risk factor for engagement in the youth justice system.⁶⁰

Queensland's residential model has structural factors contributing to in children engaging with the Youth Justice system. These factors include:

- **No therapeutic model of care:** residential care in Queensland is not a therapeutic model. Consequently, the high levels of trauma and the complexity of children placed in residential care (such as higher levels of mental illness compared to children in home-based care⁶¹) are often not managed or addressed, and workers are often not sufficiently supported to manage children's behavioural and emotional issues.
- **Residential care housing model:** The high level of trauma and complexity of children in residential care is compounded by residential care houses having up to four unrelated children. This can create an environment which exacerbates a child's behavioural and emotional issues.
- **Criminalisation of behaviour:** Children's behavioural issues and trauma responses that can result in property damage, absconding or aggression can be treated as criminal.

⁵⁸ Sentencing Advisory Council, "Crossover Kids": Vulnerable Children in the Youth Justice System. Report 1: Children Who Are Known to Child Protection among Sentenced and Diverted Children in the Victorian Children's Court", June 2019, pg. 94.

⁵⁹ The New South Wales Government funded "Pathways of Care Longitudinal Study - Improving the long-term outcomes of children in Out-of-Home Care" commenced in 2011. It is a large-scale longitudinal study of children and young people care and focuses on child development domains of physical health, socio-economic wellbeing and cognitive/learning ability. This study shows that children and young people with a residential care experience have lower school engagement, attendance and achievement, are more likely to be suspended or excluded, are less likely to meet national literacy and numeracy benchmarks and are more frequently involved in the justice system.

⁶⁰ The Senate, Legal and Constitutional Affairs Reference Committee, "Australia's youth justice and incarceration system", February 2025, pages 11 to 14.

⁶¹ Department of Families, Seniors, Disability and Child Safety, "Children in Care Census", 2024.

- **Residential care staffing model:** The number of staff required to fill a 24/7 roster⁶² and a highly casualised workforce can result in a lack of consistent staff. There is also no requirement or funding for ‘stand up’ overnight staff.⁶³
- **Residential care workforce qualifications:** Residential care workers’ minimum training and qualifications are often insufficient to manage the complexity and multiple needs of children in a residential care home. Queensland qualifications include having, or working towards, a relevant Certificate IV qualification and the completion of five hours of online “Hope & Healing” training. There is no ongoing requirement or support for residential care workers to undertake further professional development.
- **Quality assurance of care providers:** Queensland currently permits residential care providers to operate without a specific license. These providers are not audited on their compliance with the Queensland Human Services Quality Framework, and their workers are not required to obtain either minimum qualifications or to complete the mandatory “Hope and Healing” training for residential care workers.

The number of children in Queensland residential care has grown by 85 per cent between 2018 and 2023⁶⁴. This is particularly concerning given the increased risk of children in residential care engaging in the Youth Justice system. Modelling by the Queensland Commission for Child and Families (QFCC) forecasts an additional 5,000 children will be in the Queensland care system by 2030, with up to 4,000 children placed in residential care based on current system settings.⁶⁵ This is likely to result in more children in care being known to the Youth Justice system in the future.

PeakCare has also undertaken numerous consultations with residential care providers and workers in Queensland that have consistently reported serious concerns with workplace violence and aggression (WVA).⁶⁶ The prevalence of WVA in residential care in Queensland can be attributed to the same design factors outlined above that can result in children engaging with the Youth Justice systems.

Practical structures, allowing for flexibility to meet individual need, to prevent children entering care, and to better deliver services for children in care

⁶² In Queensland, a common residential care house has four bedrooms and three children. The fourth bedroom is used for the staff quarters. For this model, information from residential care providers suggests that 7 permanent part-time works and 2-3 causal staff would be needed to staff a 24/7 roster. This would mean 9 to 10 individual staff members would be required to fill a residential care home with three children over a 24/7 period. However, residential care providers advise that due to staff shortages being experienced across all regions in Queensland, all staff in some residential care houses are causal and work across residential care houses and regions due to staff shortages, which results in a higher number of individual staff required to fill the 24/7 roster.

⁶³ Residential care providers can request funding for a stand-up (awake) overnight worker for limited periods when there are disruptions in the residential care house (e.g. when there is a new placement and escalations). However, best practice in residential care requires and funds a stand-up overnight worker. For example, Victoria introduced and funded a stand-up overnight staff in all residential care homes in 2016.

⁶⁴ Queensland had 40 per cent of Australia's residential care placements, despite only having 21 per cent of the nation's children in care, Child Safety Commission of Inquiry, 23 July 2025, at transcript pg. 18.

⁶⁵ Queensland Family & Child Commission. “*Buyer Beware, How economic forces are shaping Queensland's residential care market, Queensland Family & Child Commission*”. August 2025, pg. 20.

⁶⁶ For example, PeakCare's June 2023 workshop with residential care providers and its PeakCare Report “*Insights and Opportunities – Queensland Residential Care Workforce*”, March 2025.

A Minister for Children

PeakCare recommends the creation of a dedicated Queensland Government Minister for Children with a mandate for whole-of-government oversight and accountability for services for children and their families across portfolios areas.

A Minister for Children could focus on improving outcomes for children by leveraging off the universal and secondary services platforms and ensuring greater support for vulnerable children and their families. This could enable earlier interventions before families escalate into crisis and the tertiary Child Safety and Youth Justice system.

For example, a Minister for Children could be given a mandate to focus on priority populations, cohorts of children and families who are over-represented in the Child Safety system, such as:

- parents with unborn child harm reports;
- First Nations children and families;
- young parents (under 20 years of age);
- parents with a care experience; and
- children transitioning from care or youth detention to independent adulthood.

Supporting priority populations would require dedicated and new funding. It would have positive effects on the health and wellbeing of children and their families, reducing their challenges and child maltreatment. It would also be a more cost-effective approach than attempting to address issues with remedial interventions at later stages when children are entrenched in the Child Safety and/or Youth Justice systems.

Interventions and investment in priority population, grounded in the evidence of what works and designed to maximise participation, can disrupt intergenerational transmission of trauma and disadvantage. Key elements of successful interventions for priority populations include:

- a '*navigator*' who assists a child and/or parent understand available services and their objectives, and coordinates and assists with access to services (as opposed to child or parent attempting to action individual referrals to multiple separate services, potentially in different locations);
- non-stigmatising services and providers, often best achieved through delivery by non-government child and family service providers and/or community controlled organisations;
- increased funding to community-controlled organisations, to understand and meet the actual demand and costs of services and supports to children and families before they escalate into crisis. These organisations are well positioned to foster trust, respect, cultural connection and achieve greater engagement and improved outcomes than mainstream services;
- strength-based, working with children, parents and families to identify and achieve their goals (not deficits focused or stigmatising);
- provide *wrap around* services and supports, such as housing, educational and employment supports, priority health and mental health care; dentistry; and
- dedicated, quarantined and flexible services and funding, so that funding and services provision can extend over the time of need, and ongoing access is available should future need arise without any stigma, penalty, or the need to start the process of assistance over.

Co-designed specific responses to each identified priority population, based in the evidence of what works and supported by new investment, data capture and reporting on outcomes, could enable

culturally safe services to provide interventions as early as possible and dispute intergenerational disadvantage and child maltreatment.

A new corporate parenting model

A new *Corporate Parenting Model* is proposed as a practical structure for children in care that would require the State of Queensland, as a corporate parent, to ensure prioritised, quality, coordinated and funded support for children in care to be safe, stable, access education, health and mental health services, and cultural and emotional supports.

A new Corporate Parenting Model could impose on the State of Queensland, and all its Ministers, and departments heads, responsibilities, and accountabilities to uphold the rights of children in care in their specific portfolio areas to promote health and wellbeing of children in care. Leveraging off the recommendations in the APGG Care Group report for an effective corporate parenting model, elements for a new Corporate Parenting Model could include:

1. **Legislation:** Defining a corporate parenting model that extends parenting obligations and responsibilities beyond the Child Safety Department to include departments and agencies that impact the wellbeing and development of children in care, such as health and mental health, education, and housing.
2. **Specific and measurable outcomes:** identification of outcomes that are concrete and measurable, such as compliance with the Clinical Assessment Framework, NDIS plans for all children in care with a disability, specific and evidence-based educational participation and attainment metrics etc.
3. **Monitoring and evaluation:** Mandating that every child in care must have a care plan and regular reporting by all government departments and agencies providers on progress in achieving the plan's objectives. Independent oversight of each plan and global public reporting obligations for the cohort of children in care would further strengthen this approach.
4. **Data and reporting:** Improved data sharing, monitoring, reporting and independent evaluation, to be a more effective corporate parent, understand and act on opportunities for ongoing improvement, and monitor outcomes.
5. **Funding and service access:** New, dedicated, and quarantined funding coupled with mandatory prioritisation of children in care to access services and supports, such as health care and mental health care and education.
6. **Voice of the child:** The right for children and families to be heard and to meaningfully participate in decisions that affect their lives.
7. Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle (**ATSICPP**) to the standard of 'active efforts'⁶⁷, to keep children connected to their family, culture, community, and country.

⁶⁷ Active efforts meaning purposeful, thorough, proactive steps to keep children connected to their families, culture, community and country, rather than simply defaulting to removal.

A focus of earlier intervention and prevention

Early interventions for children have long-term intergenerational benefits and a proven return on investment for the community. All Queensland Government ministers, departments and agencies have a role to play in promoting child health and wellbeing.

Improving the effectiveness of the Child Safety Department as a corporate parent also requires a whole of Queensland Government approach to enable earlier intervention and prevention for vulnerable families. A focus on priority populations, considered above, is needed to ensure that vulnerable, geographically isolated, and families with intergenerational trauma, are proactively engaged in services and supports and feel safe to seek help when they need it and before escalation into crisis.

Early intervention and prevention require support to meaningfully engage families in universal and secondary services which are protective factors⁶⁸ and build their health, safety, and resilience, including:

- **Earlier intervention and prevention:** families experiencing disadvantage require earlier and proactive support across universal and secondary services, such as housing, health, mental health, and education. This builds protective factors and resilience, can prevent or reduce families escalating into crisis and prevent their engagement in the Child Safety and Youth Justice systems.⁶⁹
- **Reframing the narrative about family's engagement in supports offered:** from a narrative of “failure to engage” by a child or family in a support, service, or intervention offered to them (which can attribute blame to a child and family) to the services systems instead focusing on “continued efforts to encourage participation”. This would recognise and enable systemic or relational barriers that prevent genuine engagement to be addressed. Barriers could include: service inaccessibility; distance and/or transportation costs; cultural safety concerns; trauma; fear; previous negative experiences; language; and educational barriers.
- **Interventions for families to address the issues that resulted in their children being known to the Child Safety and Youth Justice systems:** evidence-based interventions that intensively work across a child’s family, peers, school and community to reduce offending and anti-social behaviours, increase family functioning, reduce family challenges and child maltreatment, are critical for change.

Young people that PeakCare have consulted with are aware of their parents’ challenges and of the insufficient supports available to them to address these.

“It’s not like mum and dad don’t want to be good parents, they’re struggling too. My mum had nine of us. The generation above us are all single and on drugs and their parents were too... We’re not blaming other people for our crimes. We didn’t have what we needed when we were kids but it was our normal. It was normal for everyone I knew.”

Young person in detention in June 2024

⁶⁸ Protective factors are strengths or supports in a child’s life that help them cope with challenges, reduce the impact of risk factors, and increase positive outcomes.

⁶⁹ Universal services are supports available to all children, young people and their families regardless of risk or need (e.g. kindergarten, schools, general practitioner, immunisation, maternal and child health, libraries). Secondary services provide additional supports for children, young people and their families who are at increased risk or showing early signs of emerging needs (e.g. parenting programs, mental health supports, counselling, financial counselling, and targeted educational supports such as literacy and numeracy programs, behaviour supports and welfare officers).

Reducing children in residential care becoming known to the Youth Justice System and improving the experiences of residential care workers

A multi-faceted approach is needed to reduce the cross over between the residential care and Youth Justice systems. Firstly, a focused effort is needed to reduce the number of children in residential care and the pipeline of children entering residential care. Consideration could be given to the following actions:

8. **Dedicated funding:** A dedicated, funded program across the Queensland Government forward estimates targeted at models of care and practices that are proven to exit children from residential care to kinship care, foster care and/or family reunification.
9. **Root cause analysis:** A root cause analysis of the drivers of Queensland's high prevalence of child residential care placements and recommended responses to address identified causes.
10. **Early intervention:** Increasing investment in early interventions⁷⁰ to prevent children entering or re-entering care (which will also reduce intergenerational care entry), based on the evidence of what works and that encourages participation and engagement by children and families.
11. **Kinship and foster incentives:** Increasing financial and non-financial support for kinship care and foster care which are effective and cost-effective models for Queensland. This should include measures targeted at placement stability and improving outcomes for children in home-based statutory care placement.
12. **Data-driven decision making:** Data capture, monitoring, and public reporting to ensure focus and accountability of government on the numbers of children entering and exiting residential care.

Secondly, the model of residential care in Queensland requires significant change, including:

- **Therapeutic model of care:** Development and implementation state-wide of a therapeutic residential care model for all residential care placements in Queensland.
- **Workforce development:** Committing to and investing in the Residential Care Workforce Strategy to deliver on its priority areas: investing in developing system enablers to empower the workforce; creating meaningful career pathways and development opportunities; building a collaborative and respectful workplace culture; and strengthening community understanding and support.
- **Centre of excellence:** Establishing a child and family services sector led '*Residential Care Learning & Development Centre*' to support consistent and high-quality practice, through the ongoing delivery of training, professional development and dissemination of best practice

⁷⁰ Targeted, timely, strength based, and collaborative provision of support and services to children and families as soon as issues emerge, with the goal of preventing them from escalating, or avoiding, or reducing the need for more intensive statutory interventions and/or engagement with systems such as criminal justice and mental health. Early intervention includes the provision of services/interventions across the spectrum of children and family's known to the Child Safety and Youth Justice system. The key characteristic of early intervention is that it is aimed at preventing escalation of issues and deeper engagement (or re-engagement) with statutory services and the criminal justice system.

through peer support networks, to strengthen and support the capability of the residential care workforce.⁷¹

- **Leadership and professionalisation:** Developing a 'Residential Care Safety Leadership Program' through a co-designed process with residential care providers, sector peaks, workers, Child Safety, WorkSafe, occupational health and safety experts and academics, cultural experts, and young people with a residential care experience. Once designed, embedding the program in business-as-usual. This will build residential care workforce capacity and capability, contribute to the reduction in workforce violence and aggression, and improve the experiences for workers and children in residential care. Residential care workers will be able to better recognise when a child's behaviour is escalating and have practical skills to safely and effectively manage such behaviour. This will assist reduce behavioural issues and the criminalisation when they occur.

⁷¹ For example, in Victoria, the Centre for Excellence in Child and Family Welfare *Residential Care Learning and Development Strategy*, has been delivered since 2016. It aims to deliver ongoing development to develop and support a skilled and stable residential care workforce; provision of high-quality training, supervision and support to workers; development and delivery of appropriate pre-service and in-service qualifications relevant to the field; a commitment to, and development of, a lifelong learning culture in the residential care workplace; and responding to current trends/issues in residential care through evidence-informed learning and development activities. The department responsible for Child Protection in Victoria funds the CFECEFW to lead and manage the *Residential Care Learning and Development Strategy* and the training and support it delivers for residential care workers.

Appendix A – Related Attachments

- **Attachment A:** Foundations of the future – building a workforce that carers, connects and evolves, Queensland Workforce Strategy, 2025.
- **Attachment B:** PeakCare’s Submissions to inquiries, committees, and strategies in respect of youth justice in the last 18 months.
- **Attachment C:** Commission of Inquiry into the Queensland Child Safety System, December 2025 Call for Submissions “*corporate parenting and the links between the child safety and youth justice systems*”.
- **Attachment D:** United Kingdom, All-Party Parliamentary Group for Care-Experienced Children and Young People, “*Inquiry on Extending Corporate Parenting Responsibility across the Public Sector Final Report*”, March 2024.
- **Attachment E:** “*A Rights Respecting Approach to Justice for Children and Young People: Scotland’s Vision and Priorities*”, 2024-26.
- **Attachment F:** Children, Youth and Families Amendment (Supporting Stable and Strong Families) Bill, Victoria.
- **Attachment G:** Queensland Care Services Outcomes Framework.
- **Attachment H:** Victoria, Sentencing Advisory Council, ‘*Crossover Kids’: Vulnerable Children in the Youth Justice System*’, June 2019.

Appendix B - PeakCare's Reports and Submissions to inquiries, committees, and reviews in respect of youth justice in the last 18 months

1. Submission to Legal Affairs and Safety Committee in response to the Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Bill 2023.
2. Submissions to Youth Justice Reform Select Committee November 2023 and January 2024.
3. Submission in response to the Discussion Paper for A Safer Queensland: Youth Justice Strategy.
4. Submission to the Department of Youth Justice Draft Youth Justice Strategy June 2024.
5. Response to the report from the disbanded Youth Justice Reform Select Committee 2024.
6. Response to the Better Justice Together Queensland's Aboriginal and Torres Strait Islander Justice Strategy 2024-2031.
7. Response to Broadening the focus: Queensland's strategy to strengthen responses to people who use domestic and family violence 2024-28.
8. Submission to the Community Safety and Legal Affairs Committee Queensland Community Safety Bill 2024.
9. Submission to the State Development and Regional Industries Committee Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill 2023.
10. Response to the Office of the Public Guardian Independent Inspectorate's Cleveland Youth.
11. Detention Centre Inspection Report 2024 IDS CYDC Inspection report 2024 - Focus on separation.
12. Submission to the Legal and Constitutional Affairs Reference Committee - Australia's Youth Justice & Incarceration System October 2024.
13. Submission to the Education, Arts and Communities Committee, Youth Justice (Electronic Monitoring) Amendment Bill 2025, 12 January 2026.