QIFVLS
Queensland Indigenous Family Violence Legal Service

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Commission Secretariat
Child Safety Commission of Inquiry
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QIFVLS Final Submission – Commission of Inquiry into the child safety system

Queensland Indigenous Family Violence Legal Service (QIFVLS) welcomes the opportunity to make this final submission to the Child Safety Commission of Inquiry (Commission). This final submission is intended to synthesise, for final-submission purposes, the substance of QIFVLS's earlier written and supplementary submissions.

To the extent of any difference in emphasis or formulation between this submission and an earlier QIFVLS submission, this submission states QIFVLS's final position for the purposes of the Commission's report. QIFVLS nonetheless maintains reliance upon the earlier submissions for their detailed supporting analysis, transcript references and hearing-specific context.

1. Introduction and prior submissions

QIFVLS is an Aboriginal and Torres Strait Islander Community Controlled Family Violence Prevention Legal Service. Child protection matters constitute the largest component of QIFVLS's legal practice. This is a sad reflection on the entrenched intersection between domestic and family violence (DFV), child protection, housing instability, health and disability, family law, youth justice and adult criminal law.

In the circumstances, this submission is grounded in the experiences and observations of QIFVLS's lawyers, case management officers, family support workers and outreach engagement advisors, as they assist Aboriginal and Torres Strait Islander children, parents, kin and carers to navigate the child protection system. Across that work, the same themes continue to arise. Domestic and family violence is often the point of origin. Support commonly arrives late. Coercive intervention commonly arrives early. Family is too often treated as absent when insufficient efforts have been made to identify kin. Culture is too often treated as consultative rather than authoritative.

QIFVLS relies upon and maintains the prior submissions identified in Annexure C. Rather than repeat those submissions hearing by hearing, this final submission draws them together in a single thematic final address to the Commission.

2. Executive Summary

The overarching tenor of this final submission is that Queensland's child safety system continues to respond to Aboriginal and Torres Strait Islander children and families too late with support and too readily with coercive intervention.

First, the evidence before the Commission confirms, with striking consistency, that domestic and family violence is a principal upstream driver of Aboriginal and Torres Strait Islander

children entering the child protection system and later becoming known to youth justice.[1] That is not a peripheral observation. It is central to understanding:

- how families first come to the attention of the State;
- why many victim-survivors fear engagement with Child Safety; and
- why child protection reform cannot sensibly proceed without a domestic and family violence-informed lens.

Secondly, the evidence demonstrates that the system remains late at the points where timing matters most. It is late in pregnancy and newborn matters. It is late in identifying and supporting kin. It is late in engaging ACCOs and specialist legal services. It is late in responding to disability, neurodivergence, mental health and therapeutic need. Yet once the matter turns toward removal, urgent application or unstable placement, the system is able to move quickly and coercively.

Thirdly, the evidence demonstrates that family is not absent. In many matters family is administratively obscured, procedurally exhausted or practically blocked by the operation of the system itself. Barriers relating to housing, Blue Cards, travel, distance, cost, intrusive assessment processes, fragmented service systems and fear of statutory involvement continue to prevent family members from being identified, supported and sustained in time.

Fourthly, for Aboriginal and Torres Strait Islander children and families, those failures are compounded by structural unfairness. ACCOs are too often brought in after the decision-making terrain has already narrowed. Cultural Practice Advisers (CPAs), independent persons and delegated authority arrangements do not yet carry sufficient operational weight to change decisions reliably. *Active efforts*, cultural planning and evaluative reasoning are not consistently evidenced in a way that is capable of real scrutiny.

Fifthly, the evidence concerning the child protection litigation model and the Director of Child Protection Litigation (DCPL) was of central importance. That evidence demonstrated that the child protection system is not merely a service system supported by lawyers at the edges. It is a coercive legal system in which some of the most consequential decisions for Aboriginal and Torres Strait Islander children and families are made, endorsed or entrenched through urgent legal processes. In that regard, the question is not simply whether there is eventual court oversight. The key question is whether there is sufficiently early, independent, disciplined and culturally informed legal scrutiny at the point where State concern hardens into separation.

Sixthly, QIFVLS submits that the significance of the litigation model material lies in what it revealed about front-end accountability. Urgent removals, ex-parte applications, section 18 of the *Child Protection Act 1999 (Qld)* related processes, late or incomplete material and other high-consequence steps require more than internal confidence and later correction. They require a litigation model capable of insisting upon evidentiary discipline, proper recording of reasons, meaningful attention to both active efforts and the Aboriginal and Torres Strait Islander

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1 See QIFVLS, *Submission to the Child Safety Commission of Inquiry - Cairns Public Hearing: List of Issues*, 25 August 2025, Executive Summary; Cairns supplementary submission, Day 11 (Cairns), Schwartz, T1441-1443; Day 12 (Cairns), O'Connor, T1541-1544; FNQ-Brisbane supplementary submission, Day 10 (Brisbane), T3139-3140; Toowoomba supplementary submission, Day 1 (Toowoomba), T4173-4175.

Child Placement Principle, and genuine independence in the assessment of whether coercive intervention is necessary and proportionate. The litigation model hearing evidence supports stronger pre-proceedings pathways, earlier legally assisted engagement and consideration of a specialist child protection list or court.

Seventhly, child removal does not end violence or instability for the child. Our February 2026 written submission, the subsequent Youth Justice public hearing and the supporting material relied upon by QIFVLS all point in the same direction. Placement instability, residential care, motel use, self-placement, stale administrative practice, police station holding and watchhouse time can compound trauma and contribute to the criminalisation of children for whom the State has assumed parental responsibility.[2]

Eighthly, questions of permanency require the same reframing. QIFVLS opposes legal adoption as a permanency pathway for Aboriginal and Torres Strait Islander children. Permanency for Aboriginal and Torres Strait Islander children must be understood through the endurance of identity, kinship, culture, community and Country, not merely through the legal finality of severance. For Torres Strait Islander children, the *Meriba Omasker Kaziw Kazipa Act 2020 (Qld)* and Cultural Recognition Orders require express operational recognition within the child protection system.

Finally, the Youth Justice hearing demonstrated that the most consequential decisions are not confined to entry into care. Decisions concerning restoration, reunification, kinship return and the ending or non-renewal of orders, including decisions engaging s 82(2) of the *Child Protection Act 1999 (Qld)*, may expose children to harm if made without sufficient scrutiny. Given current Queensland Government policy settings, QIFVLS also addresses Secure Care on a guarded, damage-limitation basis. If Secure Care is implemented, it must be tightly confined, therapeutic, culturally safe and judicially supervised, and must never become a substitute for proper family-based care or broader system reform.[3]

QIFVLS therefore submits that the Commission's final findings and recommendations should address the design and operation of the system itself. Child protection reform must be approached as a whole-of-government responsibility and as a Closing the Gap obligation.

3. Findings sought

QIFVLS respectfully submits that the Commission can safely make findings in substance as follows:

1. Domestic and family violence is a principal upstream driver of Aboriginal and Torres Strait Islander children entering the child protection system and later becoming known to youth justice.

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2 See QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems, 16 February 2026*; Toowoomba supplementary submission, 23 March 2026; Day 3 (Toowoomba), T4327, T4342, T4346; Day 4 (Toowoomba), T4492-4493.

3 See Toowoomba supplementary submission, summary of recommendations and sections 6 and 7; DCPL supplementary submission, section 6 concerning unrecorded reviewable decisions and reasons letters under s 82(2).

2. The system routinely engages too late at the points where timing matters most, including pregnancy, newborn matters, kinship identification, legal referral, therapeutic intervention and health coordination.

3. Family is not absent. In many matters family is administratively obscured, procedurally exhausted or practically blocked by the design and operation of the system, including barriers relating to housing, Blue Cards, travel, distance, intrusive assessment processes, fragmented services and fear of statutory involvement.

4. Cultural safety and self-determination remain too often consultative rather than determinative. Cultural Practice Advisers, independent persons and ACCOs do not presently hold sufficient practical authority to influence assessment, placement, restoration and litigation decisions reliably.

5. The child protection litigation model is not peripheral to the child protection system in Queensland. Rather, it is one of the principal mechanisms by which administrative concern in Queensland is translated into coercive State intervention. Its design therefore bears directly upon fairness, cultural safety, accountability and the risk of unnecessary separation.

6. Current arrangements in the bifurcated model involving OCFOS and the DCPL do not provide sufficient front-end legal accountability for the exercise of coercive power, especially in urgent removals, emergent applications, major placement decisions and decisions carrying review rights.

7. Active efforts, cultural planning, participation and evaluative reasoning are not consistently evidenced in files, litigation material and decision records in the manner required by law, fairness and public confidence.

8. Child removal does not end violence and instability. Placement instability, residential care, motel use, self-placement, police station holding, watch-house time and stale administrative practice can compound trauma and contribute to criminalisation.

9. The present care system does not yet reflect the standard of a capable, culturally safe corporate parent. Restoration, reunification, cultural connection and anti-criminalisation are not being treated with sufficient seriousness as core corporate parenting obligations.

10. Meaningful reform requires whole-of-government accountability, stronger ACCO authority, earlier legal assistance, stronger kinship pathways, tighter scrutiny of coercive decisions, linked child-journey data and public transparency.

11. Permanency for Aboriginal and Torres Strait Islander children should not be pursued through legal adoption. Permanency must be understood through identity, kinship, culture, community and Country, and the child protection system should expressly recognise and protect the operation of the *Meriba Omasker Kaziw Kazipa Act* 2020 (Qld)(MOKK Act) and Cultural Recognition Orders.

12. Restoration, reunification, kinship return and other exit-stage decisions, including decisions engaging s 82(2) of the *Child Protection Act* 1999 (Qld), require stronger

independent and preferably judicial oversight because they are capable of exposing children to grave harm without adequate, reviewable reasoning.

13. If Secure Care is implemented, it must be limited, therapeutic, culturally safe, independently monitored and judicially supervised, and must never become a substitute for proper family-based care, disability support, mental health support, domestic and family violence response or cultural support.

4. Legal and normative frame

The Commission's task, in correlation to the Terms of Reference, is not merely to identify examples of system strain. It is to assess whether the present system is meeting legal and normative obligations that already exist. Those obligations include the *Child Protection Act 1999 (Qld)*, the Aboriginal and Torres Strait Islander Child Placement Principle, the statutory requirement for active efforts, participation rights, cultural support planning, lawful and reasoned administrative decision-making, and the rights protected by the *Human Rights Act 2019 (Qld)*, including the cultural rights of Aboriginal peoples and Torres Strait Islander peoples (section 28).

The evidence also falls to be understood in light of the National Agreement on Closing the Gap. QIFVLS has consistently submitted that child protection reform is not merely an internal departmental exercise. It directly engages targets 11, 12 and 13, concerning overrepresentation in out-of-home care, youth detention and domestic and family violence, as well as Priority Reform 3, which is directed to the transformation of mainstream institutions and genuine shared decision-making with community-controlled organisations.

In that regard, these obligations cannot be satisfied simply by policy language or occasional consultation. They require institutions, records and decision-making processes capable of demonstrating, in real time, what active efforts were made, what cultural considerations were taken into account, who was involved, what alternatives were explored, what legal scrutiny occurred, and why a coercive decision was said to be necessary.

Those same norms also bear directly upon what may properly be described as permanency for Aboriginal and Torres Strait Islander children. Legal severance is not culturally neutral. Permanency must be measured by the continuity of identity, kinship, culture, community and Country. For Torres Strait Islander children, the MOKK Act and Cultural Recognition Orders require express operational recognition so that Ailan Kastom is not displaced or mischaracterised by mainstream child protection processes.

5. The evidence supports the following systemic conclusions

5.1 Domestic and family violence, pregnancy and the pathway into intervention

Across the August 2025 written submission, the Cairns supplementary submission, the FNQ-Brisbane supplementary submission, the December 2025 written submission, the February 2026 written submission and the Toowoomba supplementary submission, the same conclusion appears. Domestic and family violence is not merely one issue among many. It is a principal

upstream mechanism by which Aboriginal and Torres Strait Islander mothers and children come to the attention of the child protection system.[4]

The February 2026 written submission (ahead of the Youth Justice public hearing) also relied upon material from the Queensland Child Death Review Board describing multiple and recurring touch points in the lives of young people before justice involvement, including early signs of domestic and family violence, child protection involvement, indicators of mental ill-health or neurodivergence, school disengagement and increasing police contact. That material is entirely consistent with QIFVLS's frontline experience. DFV is often the first fracture in the child's life. Child protection, youth justice and later criminalisation too often follow when that fracture is not met with timely, effective and culturally safe support.[5]

The hearing evidence also demonstrated that the system continues to convert violence done to women and children into risk attributed to them. In practice, the non-offending parent/victim-survivor is too often assessed through the lens of failure, while the conduct of the person using violence is under-weighted, contextualised or rendered invisible. QIFVLS has consistently raised the consequence of that distortion: victim-survivors may rationally conclude that disclosing violence will expose them not to support, but to surveillance and removal of their children.[6] This is not abstract – it has been told to us by clients on many varied occasions.

That distortion is especially acute in pregnancy and newborn matters. The FNQ (Cairns) and FNQ-Brisbane hearings exposed delayed engagement, compressed hospital-based planning, urgent resort to legal process at or around the time of birth, and inadequate early legal and ACCO referral. The December 2025 written submission (ahead of the DCPL hearing) also specifically identified after-hours and bedside removal practices as requiring reform. In our submission, the better view of the evidence is that current unborn and newborn practice does not reliably operate as genuine early intervention. Too often, delay in supportive engagement contributes directly to the later coercive dynamic.[7]

QIFVLS therefore submits that the Commission should treat pregnancy, birth and the immediate post-birth period as a key reform front. Queensland requires a mandatory DFV-

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4 See QIFVLS, *Submission to the Child Safety Commission of Inquiry - Cairns Public Hearing: List of Issues*, 25 August 2025, Executive Summary; Cairns supplementary submission, Day 11 (Cairns), Schwartz, T1441-1443; Day 12 (Cairns), O'Connor, T1541-1544; FNQ-Brisbane supplementary submission, Day 10 (Brisbane), T3139-3140; Toowoomba supplementary submission, Day 1 (Toowoomba), T4173-4175.

5 See QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, 3-4, referring to Queensland Child Death Review Board, *Annual Report 2024-2025: Systemic findings, insights and recommendations*.

6 See QIFVLS FNQ-Brisbane supplementary submission, Day 3 (Brisbane), T2317; Day 7 (Brisbane), T2720; Day 10 (Brisbane), T3139-3140. See also QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, section 2.

7 See QIFVLS Cairns supplementary submission, Day 12 (Cairns), O'Connor, T1545-1547 and T1548-1563; Day 15 (Cairns), Dr Fraser, T1994-1996; Day 14 Public (Cairns), Svendsen, T1867-1869 and T1918-1932; FNQ-Brisbane supplementary submission, Day 3 (Brisbane), T2317; Day 7 (Brisbane), T2720; QIFVLS, *Submission - Director of Child Protection Litigation and Litigation Model*, 1 December 2025, summary recommendations concerning after-hours and bedside removals.

informed perinatal and newborn protocol providing for early notice, multidisciplinary planning, culturally safe consultation, warm referral to ACCO and legal supports, a clear distinction between victim-survivor and person using violence, strict controls around after-hours or bedside removal practices, and written reasons where urgent newborn removal is said to be necessary and required.

The evidence also demonstrates that removal does not end violence. The Youth Justice hearing made plain that children in care may remain exposed to sexual violence, coercion, unsafe relationships and exploitation, but without the protective responses that would ordinarily be expected if the State were functioning as an effective, protective parent. Specialist domestic and family violence responses must therefore be treated as part of corporate parenting itself, not as an external adjunct.[8]

5.2 The system is too late and family is too often treated as absent when it has in truth been obstructed

A second theme running through the written and hearing material is that the system remains late at every point where family strength could still be mobilised. Our Cairns supplementary submission described the system as arriving too late in pregnancy, too late in DFV matters, too late in kin and family-finding, too late in legal referrals and too late in therapeutic support. The FNQ-Brisbane supplementary submission recorded evidence that QIFVLS and other ACCOs are often brought in only after proceedings are on foot, by which time positions have already hardened.[9]

QIFVLS respectfully submits that the evidence permits a stronger formulation than is often used in child protection discourse. Family is not absent. In many matters family has been administratively obscured, procedurally exhausted or practically blocked. Across the earlier submissions and hearings, the recurring barriers were poor early identification of kin, housing precarity, Blue Card delays, transport and distance, intrusive and prolonged assessment processes, delayed information sharing, fragmented legal and non-legal support, and the understandable fear of government involvement held by many kin and carers.[10]

The earlier submissions also drew attention to the realities of regional, rural and remote Queensland, including Far North Queensland and the Torres Strait, where service scarcity, geographical distance, removal from Country and the cost of travel can turn a nominally available family connection into a practical impossibility unless the State assists. Children want to remain on Country, with family, kin, siblings and community. Where placements are made far from home without meaningful practical support for contact, the system deepens the separation it later describes as a reason for continuity of removal.

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8 See QIFVLS Toowoomba supplementary submission, sections 2 and 3; Day 1 (Toowoomba), T4123-4124; T4128-4129.

9 See QIFVLS Cairns supplementary submission, section 3; FNQ-Brisbane supplementary submission, introduction and section 3; Cairns supplementary submission, Day 11 (Cairns), Schwartz, T1442-1444.

10 See QIFVLS Cairns supplementary submission, Day 13 (Cairns), CPA panel, T1656-1660; Day 6 Public (Cairns), Allsop, T728 and T765-766; Toowoomba supplementary submission, Day 6 (Toowoomba), T4655-4666.

The February 2026 written submission and the Youth Justice hearing both reinforced the importance of genuine, culturally safe family-led decision-making. Properly designed and ACCO-led family-led processes can identify kin, identify practical supports, expose the true dynamics of DFV, and bring legal help to bear while the matter is still capable of de-escalation. By contrast, FGMs conducted too late, within a department-led and hierarchical structure, will often do little more than ratify a crisis that has already been allowed to harden.[11]

The Commission should therefore proceed on the footing that Queensland requires a mandatory, early family-finding and kinship pathway, coupled with a statewide Child Protection Notification and Referral Scheme (as advocated by QIFVLS) and funded practical assistance for kin. Practical barriers should first be solved, not treated as proof that family is unavailable.

5.3 Culture cannot remain advice without power

The August 2025 written submission identified the culture of Child Safety itself as requiring urgent review and reform in line with the transformation of mainstream institutions under Priority Reform Three of the Closing the Gap Agreement. The FNQ-Brisbane hearing materially deepened that concern. Departmental witnesses accepted that the system remains highly complex, opaque and difficult to navigate, especially for parents with low literacy, limited formal education, English as a second or third language, or prior trauma from statutory intervention.[12]

The evidence concerning Cultural Practice Advisers (CPAs) was particularly revealing. QIFVLS's written and supplementary submissions consistently identified the under-resourcing and under-weighting of CPAs. The FNQ-Brisbane hearing recorded evidence that there were insufficient CPAs, that their advice was often not accepted, and that ideally each team would have CPA support. The same theme emerged in the earlier written submissions, which advocated that CPA expertise should shape assessments, case planning and placement decisions, not sit at the edge of them.[13]

QIFVLS submits that the present position is inadequate. Culture cannot remain a matter of occasional consultation, generic celebration or retrospective file completion. Cultural authority must be operational, child-specific and capable of influencing the decision. That requires properly resourced CPAs, meaningful independent person participation, funded ACCO involvement, and delegated authority arrangements which shift real decision-making power rather than merely adding advisory voices to decisions still made elsewhere.

The FNQ-Brisbane supplementary submission also raised a wider issue about decision-making architecture, particularly the retirement of the Structural Decision-Making (SDM) tools following concerns about racial bias and inequitable outcomes affecting Aboriginal and Torres Strait

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11 QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, recommendations 2 and 4; Toowoomba supplementary submission, section 5.

12 QIFVLS FNQ-Brisbane supplementary submission, Day 5 (Brisbane), T2558; T2554; Day 10 (Brisbane), T3129.

13 QIFVLS FNQ-Brisbane supplementary submission, Day 4 (Brisbane), T2386 and T2465-2466; Day 10 (Brisbane), T3117-3118.

Islander families. More significantly, that submission recorded the absence of any adequate retrospective review of individual case consequences arising from the SDM tools. In our submission, recognition without repair is insufficient. The Commission should recommend a retrospective review process and auditable safeguards against future bias in any replacement systems.[14]

Our earlier submissions also repeatedly emphasised the need for regular cultural capability and anti-racism education that is ACCO-designed, ACCO-delivered, tied to supervision and accountability, and attentive to the diversity of Aboriginal and Torres Strait Islander communities in Queensland. Community-specific knowledge, external cultural guidance and proper remuneration of Elders and ACCO cultural authorities are not optional extras. They are part of making the system fit for purpose.

5.4 Legal accountability

Our December 2025 written submission and the DCPL supplementary submission together demonstrate that the present child protection litigation model is afflicted with three related structural defects:

1. insufficient front-end legal accountability at the most consequential point of State intervention;
2. inadequate documentary integrity and recorded evaluation; and
3. a failure to make Aboriginal and Torres Strait Islander-specific statutory obligations and DFV-informed practice real in evidence rather than rhetorical in policy.[15]

QIFVLS respectfully submits that those propositions should be accepted. When the State invokes coercive jurisdiction over a child and family, fairness requires more than internal confidence and later reconstruction. It requires a record showing:

- who made the decision;
- on what material;
- with what legal scrutiny;
- what active efforts had already been undertaken;
- what cultural planning had occurred;
- what ACCO or independent participation existed; and
- why a coercive response was said to be necessary at that point in time.

Our DCPL supplementary submission accordingly proposed mandatory, recorded legal advice or legal endorsement for critical decisions, including urgent ex parte applications, section 18-related applications, major placement decisions and comparable points of coercive intervention. It also proposed verifiable standards for urgent sworn material so that source,

14 QIFVLS FNQ-Brisbane supplementary submission, Day 8 (Brisbane), T2822-2823 and T2826.

15 QIFVLS, *Submission - Director of Child Protection Litigation and Litigation Model*, 1 December 2025; DCPL supplementary submission, introduction and sections 4 to 6.

basis of knowledge and verification status are made explicit, and material derived from verbal updates is not converted into sworn fact without transparency.[16]

QIFVLS further submits that reviewable decisions, particularly placement decisions and similarly consequential decisions, should not be capable of lawful exercise without a written decision record. Written reasons matter not only for review rights. They matter for discipline of thought. They require the decision-maker to explain why alternatives were rejected and how the child's safety, best interests, culture and family connections were weighed.

The DCPL material also made an important point about proof. For Aboriginal and Torres Strait Islander children, active efforts and cultural plans must be capable of evidentiary demonstration, not left as aspirational language. Proceedings and key decision records should include an Active Efforts Schedule, a culturally meaningful support plan, and documentation of ACCO, independent entity and CPA involvement. A system that cannot prove what it says it values will continue to reproduce unfairness while disclaiming it.

Finally, QIFVLS submits that there remains a compelling case for structured pre-proceedings reform along the lines of UK's PLO, earlier court-ordered conferencing, and a specialist child protection list or court. The December 2025 written submission advocated a specialist and therapeutic pathway drawing on the cultural immersion of Western Australia's Dandjoo Bidi-Ak court and the operational strengths of Victoria's Marram-Ngala Ganbu court. QIFVLS maintains that position. The earlier submissions also supported early access to independent legal representation for parents and subject children, including an opt-out pathway to the Office of the Public Guardian or an equivalent independent representation mechanism for children aged 10 and over.[17]

5.5 What happens after removal: workforce, health, disability, placement instability and leaving care

The written submissions and public hearings made plain that child removal is not the end of the matter. What happens after removal often determines whether a child experiences safety and healing or whether the State reproduces the same instability it said it was seeking to prevent.

The August 2025 written submission and the subsequent Cairns and FNQ-Brisbane supplementary submissions highlighted workforce instability, vacancy levels, continuity failures and the administrative overload borne by Child Safety Officers (CSOs). QIFVLS does not treat those matters as superficial workforce complaints. They go directly to lawful and humane decision-making. Every change of CSO forces families to restart, rebuild trust and re-explain

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16 QIFVLS DCPL supplementary submission, Day 11 (Brisbane litigation model), 8 December 2025, T3181; Day 12 (Brisbane litigation model), 9 December 2025, T3319-T3322 and T3328-T3331; Day 15 (Brisbane litigation model), 12 December 2025, T3731-T3738.

17 DCPL supplementary submission, Day 13, 10 December 2025, T3414-T3415; Day 14, 11 December 2025, T3603; Day 15, 12 December 2025, T3653-T3655; Day 1, 2 February 2026, T3764-T3766. See also QIFVLS, *Submission - Director of Child Protection Litigation and Litigation Model*, 1 December 2025, recommendations concerning specialist court reform, conferencing and early legal representation.

trauma. In regional, rural and remote Queensland, staffing scarcity and centralisation intensify the problem and increase the risk that cultural and local knowledge are lost altogether.[18]

Our earlier submissions also repeatedly identified health, disability and therapeutic need as matters too often recognised late and managed poorly. The Cairns supplementary submission pressed for earlier responses to neuro-disability, FASD and complex developmental need. The February 2026 written submission and the Youth Justice hearing then showed, from a youth justice perspective, that many children do not receive a meaningful, whole-of-child response until they are already in crisis or in custody.[19]

Residential care sits at the sharp end of those failures. QIFVLS's written submissions described residential care as functioning, in too many cases, as a pathway to criminalisation rather than a protective placement. The FNQ-Brisbane hearing heard that residential placements for under-12 children had occurred out of demand and need rather than because they were the best option. The Youth Justice hearing then added concrete evidence of age mixing, high police call-outs, police station holding, hospital social admissions, commercial motel use, self-placement and a shadow placement regime in which police, hospitals and improvised adult supervision are left to manage children because the child protection system cannot locate or maintain a proper placement.[20]

QIFVLS submits that residential care should be treated as an option of last resort and never as the default response to the State system's inability to identify, support and sustain family-based care. The present reliance on non-family-based care, motel accommodation and police station drift is inconsistent with the standard of a capable corporate parent.

The same point extends to transitions from care. The FNQ-Brisbane supplementary submission supported a stronger leaving-care framework to age 25, and QIFVLS maintains that position. The current cliff edge is plainly not fit for purpose for young people leaving care into housing insecurity, unresolved trauma, disability, family rupture and ongoing exposure to violence.

5.6 Corporate parenting, care-criminalisation and accountability

The February 2026 written submission and the Toowoomba supplementary submission demonstrate that the link between child safety and youth justice is not incidental. It is structural, foreseeable and, in many cases, preventable.

The February 2026 written submission drew together several published indicators of that structural link. It referred to Queensland Productivity Commission work indicating that approximately half of prisoners had prior contact with child protection or mental health

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18 QIFVLS, *Submission to the Child Safety Commission of Inquiry - Cairns Public Hearing: List of Issues*, 25 August 2025, recommendation 6; Cairns supplementary submission, recommendation 5; FNQ-Brisbane supplementary submission, recommendation 7 and section 7.

19 Cairns supplementary submission, recommendation 8 and section 11; QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, sections 6 and 8; Toowoomba supplementary submission, sections 2, 3 and 7.

20 FNQ-Brisbane supplementary submission, section 9; Toowoomba supplementary submission, Day 1 (Toowoomba) transcript, T4125; T4127; T4135; Day 3 (Toowoomba), T4353; T4364-4365; Day 4 (Toowoomba), T4505.

systems, rising substantially for Aboriginal and Torres Strait Islander women. It also relied upon AIHW monitoring showing that 65 per cent of young people under youth justice supervision had interacted with child protection in the preceding decade, and that significant proportions had been the subject of care and protection orders or had lived in out-of-home care.[21]

The Youth Justice hearing then gave that pattern lived form. It showed how care instability, unmet basic needs, repeated placement disruption, self-placement, motel use, watch-house time, police station holding and stale administrative practice can function as mechanisms of criminalisation. It also showed that administrative failures such as stale bail addresses, absence of decision-makers and delayed after-hours responses are not mere bureaucratic irritants. They can produce breaches, police contact and custody time for children whose lives are already destabilised by the State's own placement decisions.[22]

QIFVLS therefore submits that corporate parenting must be reframed and governed as a whole-of-government function. It is not enough that one department is the legal guardian on paper while education, housing, health, disability, youth justice and policing each hold a fragment of the child's trajectory. A capable corporate parent would prioritise restoration, reunification where safe, cultural connection, stability of relationships, therapeutic care, and the prevention of foreseeable harm, including criminalisation.

The February 2026 written submission and the subsequent Youth Justice public hearing also pressed a further accountability point. Queensland still lacks sufficiently clear, linked and public child-journey data telling the whole story of these trajectories. Public reporting should not stop at the number of children in care. It should tell the community:

- how many children are in residential care, motel placements, hospital social admissions, police station holding or watch-house time;
- how often children self-place;
- how often children in care are also known to youth justice;
- how disability and neurodivergence intersect with those pathways; and
- what happens to young people after leaving care.

5.7 Permanency, reunification, adoption and secure care

The Youth Justice hearing sharpened a further question of real significance: who scrutinises the decision to restore, return or reunify a child, or to allow an order to end, when the consequence may be renewed exposure to violence, coercion or instability? The hearing demonstrated that these decisions can be at least as grave as the decisions which first brought the child into care. The Commissioner's questioning, including in relation to s 82(2) of the *Child Protection Act*

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21 See QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, 1-3 and 8-10; Toowoomba supplementary submission, Day 3 (Toowoomba), 19 February 2026 transcript, T4327; T4342; T4346; Day 4 (Toowoomba), T4492-4493.

22 QIFVLS Toowoomba supplementary submission, sections 3 and 4; Day 4 (Toowoomba), 23 February 2026 transcript, T4442; T4444; T4449; T4492-4493.

1999 (Qld), underscored the force of a model involving judicial oversight of such decisions. QIFVLS supports that course.[23]

QIFVLS therefore submits that restoration, reunification, kinship return and other exit-stage decisions should not remain matters of lightly documented administrative discretion. At a minimum, they require child-specific evaluative reasoning, evidence of active efforts, explicit treatment of DFV, housing, health, disability, education and cultural connection, written reasons, and a practical pathway for prompt court scrutiny where safety is contested or the decision departs from professional, ACCO or cultural advice.

5.7.1 Adoption

That scrutiny question is inseparable from permanency. QIFVLS opposes legal adoption as a permanency pathway for Aboriginal and Torres Strait Islander children. There is no convincing basis to regard legal severance as the preferred route to safety or stability for Aboriginal and Torres Strait Islander children when well-supported kinship care, guardianship, restoration and culturally supported long-term care remain underdeveloped or under-resourced. Adoption risks translating permanency into administrative finality, repeating the logic of past removals and incentivising system-efficiency over family restoration and cultural continuity.

For Torres Strait Islander children, the point is further sharpened by *Ailan Kastom* and the MOKK Act. The child protection system should be required to identify, inquire into and give proper effect to existing or proposed Cultural Recognition Orders before adoption or other purported permanency pathways are pursued. Recognised Ailan Kastom carers/cultural parents should be treated as primary permanency options, and mainstream adoption processes should not be permitted to displace or subsume culturally authorised child-rearing practices.[24]

5.7.2 Secure Care

Secure Care arises in the same terrain because, if the State cannot safely restore, reunify or place a child, it may seek a locked alternative. Given current Queensland Government policy settings, QIFVLS addresses Secure Care on a guarded fallback basis directed to stemming harm, not endorsing the model. Secure Care must never become a substitute for proper family-based care, disability support, mental health treatment, domestic and family violence response or cultural support. If implemented, Secure Care must be:

- therapeutic and non-punitive;
- confined to a small cohort presenting serious risk to self or others where no less restrictive and properly supported option exists;
- entered only by judicial authorisation;
- accompanied by independent legal representation;

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23 See QIFVLS Toowoomba supplementary submission, summary of recommendations and section 6; DCPL supplementary submission, section 6; December 2025 written submission, recommendations concerning legislated reunification process and stronger case management.

24 *Meriba Omasker Kaziw Kazipa Act 2020 (Qld)*; Office of the Commissioner, Cultural Recognition Orders Guidance; AIATSIS, *Torres Strait Islander Child-Rearing Practices* (2020).

- be culturally safe, strictly time-limited, independently monitored; and
- designed with step-down and aftercare planning from the outset.[25]

6. Summary of QIFVLS Recommendations

QIFVLS makes the following consolidated recommendations.

Recommendation 1: Establish an Aboriginal and Torres Strait Islander Child Protection Notification and Referral Scheme

- Queensland should establish a statewide Child Protection Notification and Referral Scheme, modelled in broad terms on the Custody Notification Service, for Aboriginal and Torres Strait Islander children, parents and carers at the earliest practicable point of child protection contact, including in pre-birth and newborn matters.
- The scheme should require a documented warm referral to QIFVLS, another Family Violence Prevention Legal Service, ATSILS or another relevant ACCO with specialist legal or support expertise, with workable consent, after-hours and remote-delivery protocols.
- The referral obligation should be reviewable and auditable, and should be treated as a core participation safeguard rather than a matter of local discretion.

Recommendation 2: Adopt a mandatory domestic and family violence-informed pregnancy, birth and newborn protocol

- Queensland should adopt a mandatory protocol governing child protection engagement in pregnancy, birth and the immediate post-birth period where domestic and family violence, coercive control, substance use, mental health issues, disability or prior child safety history are present.
- The protocol should require early multidisciplinary planning, clear distinction between victim-survivor and person using violence, culturally safe consultation, warm referral to legal and ACCO supports, consideration of alternatives to removal, and written reasons for any urgent newborn removal decision.
- After-hours and bedside removal practices should be tightly controlled and permitted only where strictly necessary.

Recommendation 3: Make family-led decision-making ACCO-led and expand genuine Aboriginal and Torres Strait Islander decision-making authority

- Family-led decision-making (FDLM) for Aboriginal and Torres Strait Islander children should be ACCO-led wherever practicable and should occur early enough to influence the decision, not merely respond to it after positions have hardened.

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25 See QIFVLS Toowoomba supplementary submission, summary of recommendations and section 7; QIFVLS, *Submission - Corporate parenting and link between the child safety and youth justice systems*, 16 February 2026, recommendations 1, 6 and 9 insofar as they caution against using further institutional restriction as a substitute for broader systemic reform.

- Delegated authority arrangements should be expanded and formalised, with transparent criteria, proper resourcing, and written reasons where departmental decision-makers depart from an ACCO, CPA or other cultural recommendation.
- In line with Priority Reform Two of the Closing the Gap agreement, relevant ACCOs require investment and resourcing to adequately train, build expertise and meet the requirements of FDLMs.
- Independent person participation should be strengthened and treated as a substantive safeguard rather than a procedural formality.

Recommendation 4: Create a mandatory early kinship, family-finding and practical support pathway

- Queensland should implement a statewide, mandatory early family-finding and kinship pathway commencing at first contact and revisited at each major decision point, including restoration, return and placement-change decisions.
- Blue Card, housing, transport, travel, communication and other practical barriers affecting kin should be addressed through expedited processes, funded support and a working presumption that practical barriers should first be solved rather than treated as proof that kinship is unavailable.
- ACCOs undertaking work, finding kin within the Family Participation Program would benefit from increased resourcing and investment to utilise this pathway.
- The pathway should expressly accommodate culturally specific kinship and child-rearing arrangements and require active efforts to be evidenced, not merely asserted.

Recommendation 5: Reform cultural authority, anti-racism and decision-making structures

- Cultural Practice Advisers should be sufficiently resourced, integrated and empowered to influence assessment, case planning, placement, restoration and litigation preparation, and departures from CPA advice should be reasoned, recorded and reviewable.
- Cultural support planning must be timely, child-specific, reviewable and prepared with genuine family and ACCO involvement.
- Mandatory, regular cultural capability and anti-racism training should be ACCO-designed, ACCO-delivered, tied to supervision and accountability, and supported by funded external cultural guidance and proper remuneration of Elders and cultural authorities.
- Queensland should conduct an independent retrospective review of the impact of racially biased decision-support tools and build auditable safeguards against future bias into any replacement systems.

Recommendation 6: Redesign and stabilise the child safety workforce

- The Child Safety Officer role should be redesigned to permit more relational practice, greater continuity and less unmanageable administrative overload.

- Administrative off-loading and specialist supports should be used to increase time spent with children, families and kin rather than on avoidable internal process.

Recommendation 7: Build health, disability and therapeutic response before and after removal

- Queensland should establish dedicated pathways for paediatric, disability, neurodevelopmental, FASD, mental health, alcohol and other drug, and therapeutic assessment and treatment for children and families at risk of child protection involvement and for children already in care.
- The response should include nurse navigation or equivalent care coordination, improved access to allied health and disability supports, and a deliberate strategy to avoid behaviouralising unmet health or disability need.
- Therapeutic and healing supports must be available both before and after removal and should not depend upon a child first entering custody or crisis.

Recommendation 8: Strengthen front-end legal accountability and documentary integrity

- Queensland should adopt mandatory standards for legal scrutiny and record-keeping at critical coercive decision points, including urgent ex parte applications, section 18-related applications, major placement changes, after-hours removals and decisions carrying review rights.
- Those standards should require, wherever practicable, recorded legal advice or legal endorsement; clear source and verification requirements for urgent sworn material; written evaluative reasons for reviewable decisions; and auditable recording of active efforts, cultural planning and participation.
- The independent statutory litigation function should be preserved and strengthened, not collapsed into operational service delivery. Relevant guidelines within the Office of the Director of Child Protection Litigation should be updated to address the *Human Rights Act 2019 (Qld)*, active efforts, domestic and family violence-informed practice and cultural evidence obligations.

Recommendation 9: Introduce a Queensland pre-proceedings pathway and specialist child protection court reform

- Queensland should develop a structured pre-proceedings pathway that brings legally assisted engagement and facilitated resolution forward, rather than leaving meaningful negotiation to occur only after avoidable delay.
- The pathway should include early particularisation of concerns, access to legal aid funded legal advice for parents, culturally safe facilitated meetings and earlier court-ordered conferencing or an equivalent mechanism, with dates fixed where necessary to reduce drift.
- The Commission should recommend a specialist child protection list or court process drawing on the cultural immersion of Dandjoo Bidi-Ak (WA) and the operational strengths of Marram-Ngala Ganbu (Victoria), including round-table practice, Aboriginal

and Torres Strait Islander team presence, family engagement officers, docketing and independent evaluation.

- Independent representation pathways for children should also be strengthened. The Commission should recommend an opt-out referral pathway to Child Advocate Legal Officers within the Office of the Public Guardian or an equivalent independent representation mechanism for children aged 10 and over.

Recommendation 10: Adopt a family-based care first strategy and reduce reliance on residential care

- Residential care should be treated as an option of last resort and not as the default response to the system's inability to find stable family-based care.
- Queensland should adopt a strategy to reduce reliance on residential care, motel use, hospital social admissions and police station holding, especially for younger children.
- That strategy should include stronger kinship support, home-like and culturally grounded alternatives, safeguards against age mixing and geographic displacement, tighter after-hours decision-making, and practical steps to reduce criminalisation caused by care instability and routine police call-outs.

Recommendation 11: Reframe corporate parenting as a whole-of-government, anti-criminalisation obligation

- Corporate parenting should be framed and governed as a whole-of-government responsibility with shared accountability across child safety, youth justice, education, housing, health, disability and policing.
- The State's obligations as corporate parent should expressly prioritise restoration, reunification where safe, cultural connection, stability of care and relationships, and the prevention of foreseeable harm, including criminalisation.
- Queensland should establish linked child-journey data and mandatory public reporting on placement type, residential care, motel use, self-placement, police station holding, watch-house time, crossover with youth justice, disability intersection and outcomes after leaving care.
- Independent oversight with enforcement capability, strengthened Child Safe Standards in child protection and residential care settings, and a statutory leaving-care support model extending to at least age 25 should form part of this reform package.

Recommendation 12: Reject legal adoption as a permanency pathway for Aboriginal and Torres Strait Islander children and align permanency law with MOKK/Cultural Recognition Orders

- Queensland should remove legal adoption as a permanency option for Aboriginal and Torres Strait Islander children under the *Child Protection Act 1999 (Qld)*. Permanency for Aboriginal and Torres Strait Islander children should instead be pursued through restoration where safe, kinship care, guardianship, culturally supported long-term care and other models which preserve identity, kinship, culture, community and Country.

- The *Child Protection Act* and associated policies should expressly recognise and respect the operation of the *Meriba Omasker Kaziw Kazipa Act 2020 (Qld)* and Cultural Recognition Orders, including mandatory inquiry, checks and procedural safeguards before adoption or other purported permanency pathways are pursued.
- Adoption processes should be paused or prohibited where a Cultural Recognition Order application is active, and recognised Ailan Kastom carers should be treated as primary permanency options for Torres Strait Islander children.

Recommendation 13: Subject restoration, reunification and s 82(2) decisions to stronger oversight

- Queensland should amend law and practice so that restoration, reunification, kinship return and other exit-stage decisions which materially alter where a child lives or whether an order ends, including decisions engaging s 82(2) of the *Child Protection Act 1999 (Qld)*, are supported by written evaluative reasons and an effective pathway for prompt independent and judicial scrutiny.
- No such decision should be made without documented consideration of domestic and family violence, perpetrator pattern, housing, disability, mental health, alcohol and other drug issues, education continuity, cultural connection, child participation and active efforts at safe family support.
- Parents, carers, kin, separate representatives and relevant ACCOs should have timely notice of proposed return or restoration decisions and a practical mechanism to bring disputed safety issues promptly before the court.

Recommendation 14: If Secure Care is implemented, impose strict statutory guardrails

- Given current Queensland Government policy settings and the practical likelihood that some form of Secure Care will be implemented, the Commission should recommend statutory guardrails designed to stem harm rather than leave the model solely to executive policy.
- Any model should be limited to a small cohort presenting serious risk to self or others where no less restrictive and properly supported option exists; be therapeutic and non-punitive; require judicial authorisation and regular judicial review; provide independent legal representation; include health, disability, trauma and cultural assessment; and commence with step-down and aftercare planning already in place.
- Independent monitoring, public reporting, maximum time limits, prohibition on routine use for placement shortage or ordinary offending, and safeguards against co-location with youth detention or policing functions should be built into the statutory design from the outset.
- Secure Care must never become a substitute for proper family-based care, disability support, mental health support, domestic and family violence response, cultural support or the State's obligation to provide suitable placements. If those wider settings are not fixed, Secure Care risks becoming an institutional holding space for broader system failure.

7. Conclusion

The public hearings to date do not support a conclusion that Queensland's child safety system is failing only at the margins. The evidence has unearthed deeper problems. Support is often too late. Family is too often treated as missing when it has instead been impeded. Culture remains too often advisory rather than authoritative. Legal accountability is too thin at the point of coercion. Documentary integrity is uneven. Removal does not end violence. Care instability can become a pathway to criminalisation.

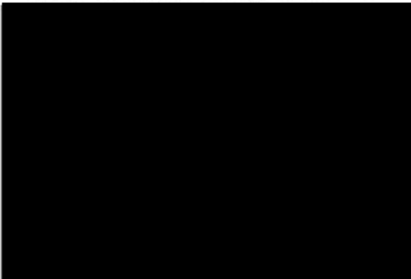
QIFVLS respectfully submits that the Commission now has a sufficient evidentiary foundation to move from descriptions to findings, and from hearing-specific concerns to whole-of-system recommendations. This is not about adding a further layer of policy aspiration. Rather, it is reordering the system so that earlier support, stronger Aboriginal and Torres Strait Islander cultural authority, better family pathways, tighter legal scrutiny and whole-of-government accountability become structural pillars rather than exceptional practice.

The reform package should include a clear rejection of legal adoption as a permanency pathway for Aboriginal and Torres Strait Islander children, stronger judicial scrutiny of restoration and reunification decisions, including decisions engaging s 82(2), and strict guardrails if secure care is implemented.

QIFVLS respectfully urges the Commission to make findings and recommendations accordingly.

Yours faithfully,

Queensland Indigenous Family Violence Legal Service



Executive Director Legal

Annexure A - Recommendation cross-match

This annexure identifies the principal earlier recommendation strands supporting each consolidated final recommendation.

Recommendation 1

• August 2025 written submission recommendation 7; Cairns supplementary recommendation 1; FNQ-Brisbane supplementary recommendation 1; December 2025 written submission summary recommendation regarding warm referrals at first contact; DCPL supplementary recommendation 1; February 2026 written submission recommendation 2; Toowoomba supplementary summary points concerning early ACCO and FVPLS notification and referral.

Recommendation 2

• Cairns supplementary recommendation 2; FNQ-Brisbane supplementary recommendations 5 and 10; December 2025 written submission summary recommendation concerning after-hours and bedside removal practices; February 2026 written submission recommendation 3; DCPL supplementary recommendations 1, 4 and 5 insofar as urgent applications and early legal support are concerned.

Recommendation 3

• August 2025 written submission recommendations 2 and 5; Cairns supplementary recommendation 4; FNQ-Brisbane supplementary recommendations 3 and 6; February 2026 written submission recommendation 4 and recommendation 9; Toowoomba supplementary section 5 concerning ACCO-led early intervention, family-led decision-making and delegated authority.

Recommendation 4

• Cairns supplementary recommendation 7; December 2025 written submission recommendation concerning kinship identification, ATSICPP compliance and Blue Card delays; FNQ-Brisbane supplementary section 8; February 2026 written submission recommendations 1 and 3 insofar as restoration, reunification and practical support are concerned; Toowoomba supplementary section 6 concerning reunification and kinship return scrutiny.

Recommendation 5

• August 2025 written submission recommendations 1 and 3; Cairns supplementary recommendation 3; FNQ-Brisbane supplementary recommendations 2, 4 and 11; December 2025 written submission recommendations concerning cultural capability training and Elders' remuneration; February 2026 written submission recommendations 5 and 9; Toowoomba supplementary section 5 concerning operational and child-specific cultural authority.

Recommendation 6

• August 2025 written submission recommendation 6; Cairns supplementary recommendation 5; FNQ-Brisbane supplementary recommendation 7 and section 7 concerning vacancies and continuity.

Recommendation 7

• Cairns supplementary recommendation 8; Cairns supplementary section 11 concerning health and disability; FNQ-Brisbane supplementary recommendation 3 and leaving-care recommendation 12; February 2026 written submission recommendation 3; Toowoomba

supplementary sections 2, 3 and 7 concerning unmet therapeutic, mental health and disability need.

Recommendation 8

- August 2025 written submission recommendation 9; FNQ-Brisbane supplementary recommendation 9; December 2025 written submission recommendations concerning timeliness, procedural fairness, Practice Panels and independent oversight; DCPL supplementary recommendations 4 to 8; February 2026 written submission recommendation 7.

Recommendation 9

- August 2025 written submission recommendations 8 and 9; FNQ-Brisbane supplementary recommendations 8 and 9; December 2025 written submission recommendations concerning specialist court design, conferencing, regional DCPL presence, independent representation and evaluation; DCPL supplementary recommendations 2 and 3; February 2026 written submission recommendation 8; Toowoomba supplementary section 6 concerning scrutiny of restoration and return decisions.

Recommendation 10

- FNQ-Brisbane supplementary section 9; February 2026 written submission recommendation 6; Cairns supplementary section 10; Toowoomba supplementary sections 3 and 4 concerning residential care, shadow placement, motel use and criminalisation.

Recommendation 11

- February 2026 written submission recommendations 1 and 9, together with sections 4 to 9 of that submission; FNQ-Brisbane supplementary recommendation 12 concerning leaving care to age 25; Toowoomba supplementary recommendations and section 8 concerning whole-of-government corporate parenting, linked data and public accountability.

Recommendation 12

- Research on adoption; August 2025 written submission references to Cultural Recognition Orders and Meriba Omasker Kaziw Kazipa; February 2026 written submission emphasis on restoration, reunification and cultural connection as core corporate parenting obligations.

Recommendation 13

- Toowoomba supplementary summary point and section 6 concerning reunification, kinship return and other exit-stage decisions; DCPL supplementary section 6 concerning unrecorded reviewable decisions and reasons letters under s 82(2); December 2025 written submission recommendations concerning legislated reunification process and stronger case management; August 2025 written submission discussion of the reunification principle and barriers to reunification.

Recommendation 14

- Toowoomba supplementary summary points and section 7 concerning Secure Care; February 2026 written submission recommendations 1, 6 and 9 insofar as they caution against using further institutional restriction as a substitute for broader systemic reform.

Annexure B - Source and hearing matrix

This annexure identifies the distinctive contribution made by each written or supplementary submission to the consolidated final case.

25 August 2025 written submission

Foundational case that family violence is the cornerstone issue; Child Safety culture requires reform; cultural safety and CPAs require strengthening; early notification and referral are necessary; staffing instability and kinship obstacles are systemic; specialist court and CPL model reform are required.

Cairns supplementary submission

Demonstrates that the system is too late at the points where timing matters most; recommends a mandatory newborn protocol; pinpoints our propositions that family is not absent but impeded, culture cannot remain advice without power, delay hardens separation, and health and disability reform is integral and intrinsically linked.

FNQ-Brisbane supplementary submission

Outlines important departmental concessions: family violence as a primary driver, the complexity and opacity of the system, the inadequacy of current cultural capability measures, shortage and under-weighting of CPAs, the value of early legal advice, structural bias in retired SDM tools, workforce vacancy pressures and post-care support to age 25.

1 December 2025 CPL model written submission

Provides detailed legal reform framework: a Child Protection notification and referral scheme, therapeutic specialist court design, stronger DCPL/OCFOS/Child Safety interfaces, early legal representation, reform of after-hours and bedside removals, timeliness and procedural fairness measures, kinship and ATSICPP compliance, independent oversight and evaluation.

DCPL supplementary submission

Provides analysis of front-end legal accountability, documentary integrity, written reasons, active efforts, pre-proceedings reform, court-ordered conferencing and the need to preserve an independent statutory litigation function.

16 February 2026 corporate parenting/youth justice written submission

Frames the downstream case ahead of the Toowoomba public hearing: corporate parenting as a legal and moral obligation, the structural link between child safety and youth justice, care-criminalisation, residential care as a pathway to criminalisation, community impacts, the need for whole-of-government accountability, and the integration of Closing the Gap Priority Reform Three.

Toowoomba supplementary submission

Examines consequences: removal does not end violence; child safety can facilitate youth justice contact; residential care, motel use, self-placement and stale administration are criminogenic; reunification, kinship return and other exit-stage decisions require stronger scrutiny; and any Secure Care proposal must be treated only on a guarded, rights-based and damage-limitation footing.

QIFVLS

Queensland Indigenous Family Violence Legal Service

Annexure C - Prior submissions relied upon

For convenience, the prior written, supplementary and thematic submissions synthesised by this final submission are listed below.

Date	Submission	Status
25 August 2025	QIFVLS written submission re Child Safety Commission of Inquiry - Cairns public hearing issues	Written submission
23 March 2026	QIFVLS supplementary submission - Cairns public hearing (8 to 26 September 2025)	Supplementary written submission
23 March 2026	QIFVLS supplementary submission - continuation of FNQ public hearing in Brisbane (17 to 28 November 2025)	Supplementary written submission
1 December 2025	QIFVLS written submission - Director of Child Protection Litigation and litigation model	Written submission
23 March 2026	QIFVLS supplementary submission - DCPL and litigation model hearing	Supplementary written submission
16 February 2026	QIFVLS written submission - corporate parenting and the link between child safety and youth justice	Written submission
23 March 2026	QIFVLS supplementary submission - Toowoomba public hearing	Supplementary written submission