

Ros BATES MP

MEMBER FOR MUDGEERABA

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The Honourable Peter Wellington MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Via email: speaker@parliament.qld.gov.au

21 November 2016

Dear Mr Speaker

	Paper No.: 5516T 2206
	Date: 1/12/16
	Member: Mr Speaker
Tabled	Tabled, by leave
Incorporated, by leave	Remainder incorporated, by leave
Clerk at the Table:	

Thank you for your letter dated 8 November 2016 and for allowing me the opportunity to respond.

Having reviewed the submission to you by the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence, it is my contention that she has sought to debate an issue of Child Safety investigations, rather than make a case for contempt. I would like to address this by responding to the contempt provisions contained in Standing Order 266.

Firstly, I would contend that the statement I made, which the Minister claims to have been misleading, is in fact a statement of fact for two reasons.

Under Westminster conventions, Ministers of the Crown are responsible for the actions and outcomes of their respective Departments. As the Queensland Parliamentary factsheet 4.1¹ notes:

"Not only are Ministers responsible for their own individual conduct but as Ministers of the Crown they are also responsible to Parliament for the actions of their respective Government departments."

So in making the statement:

"[...] we have it confirmed that this minister simply shut down a record number of suspected child abuse cases with no action or no outcome recorded. We have 1,124 cases closed without follow-up, without any attention, whilst children waited for Child Safety to come knocking on their door."

I am indeed referring to her as the responsible Minister who is responsible for the actions of her Department. At no point in my statement did I make any reference to the cases being shut down "at her direction", as the Minister falsely claims in her letter to you.

In the Minister's submission to you, it appears this is simply a case of the Minister refusing to accept responsibility for the actions of her Department and attempting to debate a point, rather than actually providing any evidence the statement is false. As a result, I would

¹ https://www.parliament.qld.gov.au/documents/explore/education/factsheets/Factsheet_4.1_PrinciplesOfCabinet.pdf

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contend the subject of the Minister's submission to you is technical and trivial under Standing Order 269.

Secondly, as the Minister herself points out in her submission to you, investigations into suspect child abuse notifications cannot be commenced until such time a child is sighted. This means that none of the 1,124 cases closed with no investigation or assessment outcome were ever sighted by investigators and therefore left in potentially harmful situations. The Minister may seek to debate the point of when an investigation commences, but through her own admissions, my statement is in fact correct.

The Child Safety practice manual outlines particular actions that do not constitute investigations commencing into abuse notifications. The following actions do not constitute commencement²:

- Allocation of the investigation and assessment by the team leader;
- Further contact with the notifier; or
- An unsuccessful attempt to visit or contact the child or family.

It saddens me to think the Minister would rather waste time making referrals on points of difference, rather than trying to actually addressing this very serious issue of cases being closed with no recorded investigation or assessment outcome occurring in her Department.

As the Shadow Minister for Child Safety, I make no apologies for holding this Minister accountable for the ongoing crisis in her Department and I will continue to raise critical issues reflected in Department performance measures and in the media, not as a matter of politics, but as a matter of critical importance to ensure our system protects children and responds to reports of child abuse.

Through this submission, I humbly submit that the statements I have made are based on facts and are not misleading. At the time of making the statement, I used the available evidence before me to make the statement and in making this statement, I in no way intended to mislead the House.

Yours sincerely

Ros Bates MP
Member for Mudgeeraba
Shadow Minister for Communities, Women and Youth, Child Safety and the
Prevention of Domestic and Family Violence
Shadow Minister for Disability Services and Seniors

² <https://www.communities.qld.gov.au/childsafety/child-safety-practice-manual/chapters/2-investigation-assessment/key-steps/2-engage-family-gather-information>