



Queensland
Family & Child
Commission

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1 June 2018

Mr Peter Russo MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

By email: lacsc@parliament.qld.gov.au

Dear Mr Russo

I refer to your letter of 1 May 2018 in regards to the annual oversight meeting with the Legal Affairs and Community Safety Committee.

Please find attached my responses to the Committee's questions on notice.

I look forward to our meeting with the Committee on 11 June 2018.

Yours sincerely

Cheryl Vardon
Principal Commissioner
Queensland Family and Child Commission

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Pre-Oversight Meeting Questions on Notice Numbers 1-3

Legal Affairs and Community Safety Committee

Topic: *When a child is missing – Remembering Tiahleigh* report

Question(s):

1. The Annual Report notes that all 29 recommendations in the *When a child is missing – Remembering Tiahleigh* report have been implemented.

Now that nearly 2 years has passed since that report was issued, are you able to identify any systemic improvements that have been made as a result?

Conversely, are there any continuing issues that still need rectification?

2. Please provide a status update on the Missing Children Pilot Governance Model - 'Our Child'.
3. Please provide an update on the Commission's recommendations in the *When a child is missing – Remembering Tiahleigh* report concerning the terms 'abscond', 'missing', and 'absent from placement'.

QFCC Response

1. Agencies have reported that all 29 recommendations made in the *When a Child is Missing: Remembering Tiahleigh* report have been delivered. The Queensland Family and Child Commission (QFCC) has undertaken to provide ongoing oversight of the transition of these recommendations into agency practice. The QFCC is currently undertaking a review of how the changes introduced by this report are functioning and to identify systemic improvements in responses to children missing from out-of-home care in the two years since the report was issued.

This review is expected to be completed in the second half of 2018.

2. Our Child is a secure real-time multi-agency information sharing portal designed to quickly and easily provide information and details about children in out-of-home care who have been reported as a missing person. Phase one of the database went live on 29 March 2018. This involves data sharing between Child Safety, Department of Education and the Queensland Police Service. Phase two, due to be released by February 2019, will increase the information sharing to include the Office of the Public Guardian, Queensland Health and Youth Justice.
3. Recommendation 6 of the *When a Child is Missing: Remembering Tiahleigh* report required all agencies to cease using the term 'abscond' in relation to children missing from out-of-home care and adopt a standard definition in all policies and procedures using the terms 'missing' and 'absent'. As at 29 March 2017, all relevant agencies reported this action had been implemented. The QFCC's current review of the implementation of these recommendations (as described under Response 1 above) includes a review of all relevant policy and procedure documents, and will confirm the use of recommended terminology.

Pre-Oversight Meeting Questions on Notice Numbers 4-5

Legal Affairs and Community Safety Committee

Topic: Supplementary Review regarding recommendation 28 of the Remembering Tiahleigh report

Question(s):

4. Please provide an update on the status of the implementation of the 17 recommendations made in the *Recommendation 28 Supplementary Review: A report on information sharing to enhance the safety of children in regulated home-based services*.
5. In preparing this report, did you collaborate with other relevant agencies in other states to see what has worked for them and what has not worked?

QFCC Response

4. Two of the 17 recommendations made in the *Recommendation 28 Supplementary Review: A report on information sharing to enhance the safety of children in regulated home-based services* have been completed. The remaining 15 recommendations have commenced.
5. In preparing the *Recommendation 28 Supplementary Review*, the Queensland Family and Child Commission (QFCC) reviewed information about a range of existing models, including those in place in other Australian states and territories. The Royal Commission into Institutional Responses to Child Sexual Abuse and Queensland agencies also provided a rich source of contemporary information on jurisdictional models.

The broader review of the Blue Card and Foster Care Systems in Queensland built upon the *Recommendation 28 Supplementary Review*. The QFCC consulted broadly with agencies in South Australia, Northern Territory, Western Australia, Australian Capital Territory, Victoria and New Zealand throughout this review. Between October 2016 and February 2017, 2,267 consultation activities were completed by the QFCC to support the reviews.

Pre-Oversight Meeting Questions on Notice Numbers 6-8

Legal Affairs and Community Safety Committee

Topic: A systems review of individual agency findings following the death of a child

Question(s):

6. In relation to your report, "*A systems review of individual agency findings following the death of a child*" prepared at the Premier's request following the tragic death of Mason Jet Lee, please provide an update on the status of the implementation of the recommendation to establish a contemporary child death model for Queensland.
7. Given that over 1 year has passed since that report was issued, are you able to identify any systemic improvements that have been made in this context?
8. Conversely, are there any continuing issues that still need rectification in this context?

QFCC Response

6. On 11 July 2016, following the death of Mason Jet Lee, the Premier asked the Queensland Family and Child Commission (QFCC) to oversight the individual agency reviews of the service delivery to Mason and his family prior to his death.

The QFCC worked with both Child Safety Services and Queensland Health to ensure their reviews were timely, thorough and able to deliver outcomes to improve service delivery to vulnerable children in Queensland.

In March 2017, the QFCC provided a report to Government "*A systems review of individual agency findings following the death of a child*" detailing the QFCC's analysis and findings following consideration of individual agency reviews. The report made one recommendation 'that the Queensland Government consider a revised external and independent model for reviewing the deaths of children 'known to the child protection system'.

The QFCC provided a further report to Government in September 2017 outlining an implementation and transition proposal for a revised external and independent model.

7. The QFCC worked with both Child Safety Services and the Department of Health to make sure their internal and external reviews of Mason Jet Lee's death were timely, thorough and would deliver outcomes to improve the child protection system.

The QFCC's report "*A systems review of individual agency findings following the death of a child*" is currently with the Government for consideration.

8. The QFCC's report "*A systems review of individual agency findings following the death of a child*" is currently with the Government for consideration.

Pre-Oversight Meeting Questions on Notice Numbers 9-10

Legal Affairs and Community Safety Committee

Topic: Blue Card and Foster Care Systems Review

Question(s):

9. Can you please provide a status report on the *Review of the Blue Card system* and, briefly, the 81 recommendations that you made.
10. Can you please provide a status report on the *Review of the Foster Care system* and, briefly, the 42 recommendations that you made.

QFCC Response

9. Responsibility for the implementation of the Blue Card Services Review sits with the Department of Justice and Attorney General (DJAG). As per recommendation 78 of the review, DJAG has established a reference group comprising of government and non-government members, including the Queensland Family and Child Commission (QFCC). This group is responsible for overseeing the progress of the recommendations.
- 10 Partner agencies have commenced work on implementing half of the 42 recommendations made in the *Review of the Foster Care system*, including five recommendations which have been completed by the Department of Child Safety, Youth and Women.

The remaining recommendations have a planned commencement and implementation plan pending the release of the Queensland government response to *the Royal Commission into Institutional Responses to Child Sex Abuse* recommendations. This is in accordance with recommendation 42 of the *Review of the Foster Care system* which requires implementing agency plans to be revised on the release of the final report of the Royal Commission.

As per recommendation 42 of the *Review of the Foster Care system*, the QFCC has established the QFCC Reviews Strategic Oversight Group to oversee the ongoing implementation of all recommendations from the *Review of the Foster Care system* report. This group meets quarterly and has senior representatives from all implementing agencies.

Pre-Oversight Meeting Questions on Notice Number 11

Legal Affairs and Community Safety Committee

Topic: Suspected child abuse and neglect (SCAN) team system review

Question:

11. Can you please provide a status report on the *Suspected child abuse and neglect (SCAN) team system review* and the status of the conceptual model pilot.

QFCC Response

11. The *Suspected Child Abuse and Neglect (SCAN) Team System Review* commenced in February 2017. Professor Dorothy Scott from ACIL Allen Consulting was engaged to undertake the review. Oversight was provided by a Senior Executive Advisory Group, with membership comprising representatives from seven government agencies.

The review confirmed the fundamental role of the SCAN team system and considered a number of alternative systems to support collaboration. A report, endorsed by the Senior Executive Advisory Group, was provided to the QFCC in July 2017. It was agreed that the existing model was adequate with the Department of Child Safety, Youth and Women to retain responsibility for the SCAN team system.

A state wide communique was provided to all agencies to forward to their staff outlining the review process and next steps. The final report was provided to Child Safety as the lead agency with responsibility for continuous improvement in the system.

Pre-Oversight Meeting Questions on Notice Numbers 12-15

Legal Affairs and Community Safety Committee

Topic: Queensland's performance in achieving state and national child protection goals

Question(s):

12. The Annual Report (p 96) provides that the rate of substantiated child protection cases involving Queensland Aboriginal and Torres Strait Islander children has been slowly declining since 2012-13 whereas the national rate has been increasing. Are you aware of any particular reasons for these trends?
13. Although the rate of Queensland Aboriginal and Torres Strait Islander children who are in out-of-home care is less than the national rate, it is still disturbing that as at 30 June 2016, Queensland Aboriginal and Torres Strait Islander children were over eight times more likely to be in out-of-home care than non-Aboriginal and Torres Strait Islander children (p 98). Do you have any comments in regard to what actions could be taken to try to reduce this rate?
14. The Annual Report (p 99) notes that in 2014, the teenage birth rate for Queensland mothers was about 1.4 times higher than the national rate (17.8 per 1,000 compared with 13.0 per 1,000). Are you aware of any reasons for this? Since the Annual Report was published, are you aware of any more recent data in this regard?
15. In terms of child homicides, has any state or national data been released since February 2015? If so, have there been any trends or issues that provide any insight or assistance for death prevention?

QFCC Response

12. As reported in the QFCC 2016-17 Annual Report, based on 2016 data from the Productivity Commission, rates of substantiated child protection cases involving Queensland Aboriginal and Torres Strait Islander children have been slowly declining since 2012-13 whereas the national rate has been steadily increasing. Based on available data, we are unable to determine the reasons for these factors. The decision to substantiate a child protection investigation is a practice decision made by Child Safety Officers and the QFCC is not aware of any particular reasons for these trends.
13. Delivering the best possible outcomes for Aboriginal and Torres Strait Islander children and families is one of the Queensland Government's highest priorities. The release of the *Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families* and *Changing Tracks: An action plan for Aboriginal and Torres Strait Islander children and families* reflects a fundamental shift in how child protection, family support and other services work with Queensland's Aboriginal and Torres Strait Islander children, families and communities. As this 20 year approach is implemented, the QFCC will work in collaboration with the Our Way Board to monitor its impact on outcomes for, and numbers of, Aboriginal and Torres Strait Islander children within the child protection system.

Whilst acknowledging that Aboriginal and Torres Strait Islander children are over-represented in the child protection system, it is also worth noting that based on the 2016 Census as of 31

December 2017, 95.1% of Aboriginal and Torres Strait Islander children living in Queensland were not living in the care system.

14. The data in the 2016-17 QFCC annual report in relation to teenage birth rates is based on 2014 data from the Australian Institute of Health and Welfare. The Australian Institute of Health and Welfare published the report *Teenage mothers in Australia 2015* in May 2018, however this report did not include specific data on rates per state and was therefore not comparable with the 2014 data. It should be noted that a number of other states also had teen pregnancy rates above the national rate, including the Northern Territory (42.3 per 1,000) and Tasmania (18.2 per 1,000). It is also worth noting that trend data in teenage pregnancy rates shows a similar downward trend across all states, including Queensland.

There are a number of socio-demographic characteristics contributing to the observed higher teenage pregnancy rates in Queensland. These include the proportion of the population that identify as Aboriginal and/or Torres Strait Islander, the number of low socio-economic status areas, and the proportion of the population in more regional and remote areas (i.e. limited access to family planning, sexual and general health services).

Concerns about confidentiality, challenges in being able to discuss sensitive health issues, and costs, which present barriers to using and purchasing contraception also contribute to teenage pregnancy rates.

15. The *Australian and New Zealand child death statistics 2015* report was released by the QFCC in April 2018. The report provides information on child mortality from all eight Australian states/territories and New Zealand, prepared with the assistance of members of the Australian and New Zealand Child Death Review and Prevention Group.

The report does not comment on trends over time.

The QFCC's *2016–17 Annual Report: Deaths of children and young people, Queensland* was tabled in Parliament in April 2018. Over the period 2004 to 2017 the rate of child death from fatal assault and neglect was on average 0.8 deaths per year per 100,000 population aged 0–17 years. The report notes that while there have been some changes in numbers and rates over time, the changes were not indicative of a trend (changes were not statistically significant).

In the majority of fatal assault and neglect deaths, the perpetrator was a member of the child's family. This points to focussing prevention efforts on responses to child abuse and neglect and domestic and family violence.

Pre-Oversight Meeting Questions on Notice Numbers 16-18

Legal Affairs and Community Safety Committee

Topic: Staffing

Question(s):

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| <p>16. The Annual Report (p 48) notes that a recruitment process is underway following the resignation of Tammy Williams. Please provide a status update on this process.</p> <p>17. The Annual Report (p 54) refers to a permanent separation rate of 18% during 2016-17. Please provide additional details to explain this relatively high figure.</p> <p>18. The Annual Report (p 54) also notes that three employees were made redundant during 2016-17 at a cost of \$214,913. Please provide further information about these redundancies.</p> |
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QFCC Response

16. Mr Phillip Brooks was appointed as Commissioner by the Governor-in-Council in October 2017 for a three year term. Phillip is a descendant of the Bidjara Tribe (Great Grandfather), the Kairi Tribe (Great Grandmother), and the Ducabrook Clan located at Springsure Central Queensland.
17. Nine permanent staff left the QFCC in 2016-17 with four resigning, three accepting a voluntary redundancy and two ceasing their secondment arrangements with QFCC. Of the four resignations:
- one moved interstate for family reasons
 - one joined the non-government sector
 - one went to the academic sector to further her specialised research skills, and
 - one moved to the Federal Government.

The voluntary redundancies and a high proportion of positions temporarily funded through limited-life funding influenced the permanent separation rate calculation.

18. Three Corporate Services positions were assessed as surplus to requirements. The responsibilities of two AO8 manager positions were absorbed into an existing manager position. Some financial and facilities functions relating to these positions were redistributed within Corporate Services. An AO5 information management position was identified as surplus to requirements following the implementation and embedding of a new electronic records management system.

All affected staff accepted a voluntary redundancy.

Pre-Oversight Meeting Questions on Notice Number 19
Legal Affairs and Community Safety Committee

Topic: Financial statements

Question:

19. Are there any significant budgetary matters that you wish to raise with the committee?

QFCC Response

19 The Queensland Family and Child Commission (QFCC) was established on 1 July 2014 with a small core budget (\$8.534 million) and limited-life funding (\$2 million) provided as an outcome of the Queensland Child Protection Commission of Inquiry (QCPCOI). Additional funding (core and limited-life) has been provided over recent years to support the QFCC to deliver its broad legislative mandate.

The QFCC's budget is a modest investment to ensure that the almost \$1 billion spent on child protection and family support services each year is delivering the desired social and economic benefits for Queensland. The QFCC's budget represents less than \$12 per child¹ living in Queensland, and just 1.6%² of the funds allocated to child and family support each year.

The QFCC's total funding for 2017-18 is \$12.893 million. This included \$700,000 one-off CBRC funding, a \$342,000 deferral from the prior year and a one-off \$50,000 injection from the Department of Justice and the Attorney-General to conduct a Youth Detention project.

The QFCC's budget for 2018-19 is expected to be less than \$12 million. The reduction is primarily due to the cessation of \$1.1 million limited-life funding. The State budget will be handed down on 12 June 2018.

An additional \$2.312 million (QCPCOI related) funding ceases at the end of 2018-19, which will result in a reduction of seven temporary Full Time Equivalent (FTE) staff.

¹ Estimated 1.127 million people aged 0-17 in Queensland on 30 June 2015 (QGSO)

² Queensland's real recurrent expenditure on child protection services, out of home care, intensive family support and family support services was \$940,773,000 in 2015-16 (ROGS).

Pre-Oversight Meeting Questions on Notice Numbers 20-21

Legal Affairs and Community Safety Committee

Topic: Outlook

Question(s):

20. What do you see as the biggest challenges for the QFCC in the next 12 months?
21. What do you see as the key priorities for the QFCC over the next 12 months?

QFCC Response

20. A key challenge for the Queensland Family and Child Commission (QFCC) is to transition from delivering Queensland Child Protection Commission of Inquiry (QCPCOI) recommendations to further establish itself as an agency with a mandate that influences the long-term reform agenda for Government. In an ever changing environment, the QFCC will need to continually evolve to make sure we meet the expectations of children, young people, families and the sector whilst delivering on our legislated responsibilities.

Key to this transition is to make sure our broad oversight mandate continues to be recognised by government and non-government agencies and the intent of the QCPCOI findings are realised.

Significantly, our priorities must make sure the interests of Aboriginal people and Torres Strait Islanders are adequately and appropriately represented which will be critical to reducing the disproportionate rate of Aboriginal and Islander children known to child protection.

As a relatively small agency, funded to date through a combination of recurrent and limited-life funding, the QFCC must remain contemporary and be conscious of not over extending itself when delivering on our significant program of work. We must also continually listen to children and young people and make sure their voices contribute to discussion about issues affecting them and their future.

21. The QFCC will continue to promote the safety, wellbeing and best interests of all children and young people over the next 12 months. We aim to make sure all children are happy, safe and provided with opportunities to enable them to achieve a well nurtured life. A number of priority areas have been identified, many of which build on achievements of the last four years.

The QFCC will continue to monitor the child and family system. We do this by reporting on Queensland's performance against national goals, state goals, performance in comparison to other jurisdictions and reporting on the numbers of and outcomes for Aboriginal and Torres Strait Islander people in contact with the child protection system. Through our ongoing oversight of recommendations from previous system wide reviews we will make sure the child protection system as a whole is strengthened, information sharing is improved across government and non-government agencies, and operational processes and safeguards for children are strengthened.

In 2018-19 the QFCC will complete an early system-wide evaluation of the Queensland Child Protection Commission of Inquiry reforms, with further evaluations planned after five and ten years. Recognising that in many instances outcomes won't be fully realised for a number of years, the early evaluation will identify indicators of progress, process adaptation and will establish a baseline for future evaluations.

The QFCC gathers the views of children, young people and families, including the perspectives of First Australian's to inform how we check, educate and improve the child and family system.

Through our *Growing up in Queensland* initiative the QFCC is gathering the views, thoughts and opinions of children and young people on the opportunities and challenges they face and what they need from government, business and community leaders to live safe lives and achieve their hopes and dreams. This evidence will be used to advocate for system improvements across all portfolios. *Growing up in Queensland* findings will inform and provide direction for the QFCC's key priority initiatives.

Through our *Out of the Dark* project, the QFCC will continue to educate children, families and professionals about how to recognise internet child sexual abuse, prevent any risk or harm and respond to the risk, if it occurs. We will address internet-related child sexual offending and child exploitation material with a focus on offending behaviours including grooming, sextortion, sexual slavery and/or trafficking, sexual exploitation, peer-to-peer sexting, and child exploitation material.

The QFCC will also hear from Aboriginal and Torres Strait Islander experts, community leaders and families to define and conceptualise the values, beliefs and behaviours that enable families to raise children, overcome challenges and build resilience. It will explore the natural safeguards within families and communities that keep children safe and enable them to reach their full potential.

The QFCC will continue to partner with the child protection and family support sector to implement the second *Strengthening our sector* action plan, developed collaboratively to strengthen the capacity and capability of the sector. We will work with Jobs Queensland to establish an evidence base on the needs of the child and family sector workforce by 2022 and consider the actions needed to ensure the child and family workforce will be positioned to respond to environmental changes and future demand.

We will continue to provide community education initiatives to promote and advocate the responsibility of families and communities to protect and care for children and young people and encourage 'help seeking' and uptake of early intervention support services.

In 2018-19 the QFCC will develop a new child death register to replace the existing register through capital approved by the Government. The Child Death Register provides researchers and government agencies with a valuable, contemporary evidence base that is used to develop safety and injury prevention activities and also monitor the effectiveness of prevention activities.

The QFCC will continue to translate research knowledge into accessible information for policy makers and practitioners to assist them in helping vulnerable Queensland children and families. The QFCC's Knowledge and Resource Hub will continue to provide easy access to important research papers and reports. Additionally, we will continue to conduct Research forums, where influential government and non-government stakeholders attend to hear key researchers present on their research findings, including regional research roundtables, where smaller groups explore place-based solutions to issues inspired by the latest research.