Dear Mr Speaker

I write to bring your attention to an ongoing pattern of misleading behaviour by the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence.

I refer specifically to your ruling in the Parliament in relation to the expectation of Ministers to answer Questions on Notice, or at minimum attempt to answer within reason. This ruling followed more than a century of Questions on Notice being used in the Queensland Parliament as a key form of scrutiny of Governments and their Departments. Questions on Notice are an important mechanism which make our democracy open and accessible to the people.

In recent sittings, it has become clear the Minister is deliberately misusing this process in an attempt to avoid scrutiny and hide important information from the public. In particular, the Minister has displayed an ongoing refusal to answer simple Questions on Notice.

For example, on 9 May 2017, I asked the Minister in Question on Notice no. 515 –

"With reference to the 10,016 notification investigations as at 31 December 2016—

Will the Minister advise (a) how many of the investigations that took longer than 60 days to finalise were initially listed as (i) 24 hour, (ii) 5 day and (iii) 10 day response and (b) how many of the investigations that took longer than 60 days to finalise were listed as sexual, physical, emotional abuse and neglect (reported by abuse type)?"

The response from the Minister did not address any of the specific questions posed in my Question on Notice and instead referred me to her Department's website.

"The breakdown of information requested does not form part of standard corporate reporting and would require an extraction of data, which would divert officers from supporting frontline work. However, Queensland's Child Safety Services has one of the most open and comprehensive reporting systems across Australia. Approximately 80 measures are reported on a quarterly basis via the department's Our Performance webpage, and can be accessed at www.communities.qld.gov.au/childsafty/about-us/our-performance."

However, just two months earlier in response to Question on Notice no. 411, which I asked on 22 March 2017, the Minister provided a detailed response to a very similar question and provided a breakdown of notification investigations not responded to within timeframes for the
year ending 30 September 2016. This demonstrates the Minister’s response to Question on Notice no. 515 is blantly misleading, as the information was readily available just months earlier and Minister has not even attempted to answer the question. Queenslanders could be forgiven for concluding the Minister’s response is a deliberate attempt to misuse a key parliamentary process and hide information from the public.

Similarly, on 23 May 2017, I asked the Minister in Question on Notice no. 647 –

"Will the Minister advise (a) how many missing children reports were made to the department via the department website, of children in care since the function went live, (b) how many children in care were reported missing in 2015-16 and 2016-17 year to date and (c) how many children were missing for more than 5 days?"

In the Minister’s so-called answer, she referred me to a report which has not even been released.

"2016-17 data on children missing from out-of-home care will be provided in the department’s Annual Report."

This is a clear attempt to avoid answering a simple question and the public will be rightfully concerned by this effort to hide information, particularly given the recent tragic and widely publicised death in out-of-home care of Tiahleigh Palmer.

If the Minister is allowed to continue with her flagrant abuse of the processes of the Parliament, this will permit potential maladministration or corrupt behaviour of Governments to go unchecked and see important public services falter due to a lack of scrutiny. Answering Questions on Notice in an open and accountable way is an important part of the Westminster democratic principle of ministerial accountability.

I respectfully ask that you consider the information I have provided and refer the Minister to the Ethics Committee to ensure the standards of the Parliament and its time honoured processes are upheld.

Thank you for your time and consideration.

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

Ros BATES MP
Member for Mudgeeraba
Dear Mr Speaker,

I refer to your previous rulings in relation to answers provided by Ministers to questions on notice, submitted through the Parliament.

In doing so, I draw your attention to the response provided by the Minister for Police, Fire and Emergency Services to QON 1010 asked on 16 June 2017 by my colleague, the Member for Chatsworth.

The question goes to important issues regarding the management and security of our prison system and seems a straightforward question, yet the Minister has failed to provide the statistics.

Questions on notice are an important part of the parliamentary process and go to the heart of a well-functioning democracy whereby government is open and accountable to the people.

Minister Ryan has had a previous answer provided ruled as unanswered and I believe this question does not stretch the resources within his Department.

I seek your guidance on whether the Minister has even attempted to answer the question or whether you believe it needs to be re-scoped.

Yours sincerely,

Tim Mander MP
State Member for Everton
Shadow Minister for Police, Fire and Emergency Services and
Shadow Minister for Corrective Services

26 July 2017
The Honourable Peter Wellington MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000
13 July 2017

Dear Mr Speaker,

I refer to your correspondence of 29 July 2017, regarding the Member for Mudgeeraba’s claims about questions on notice 411, 515 and 647 answered in 2017.

Questions on notice 411 and 515 related to the extraction of information from the Department’s Integrated Client Management System (ICMS). ICMS is used by child safety staff to appropriately manage and record case files for children in care, investigations and assessments and intake events. While the system is aging and work is underway on its replacement, it was designed and remains focused on supporting frontline staff manage individual cases. It however has limitations on its ability to collate state-wide reporting.

Despite these limitations, the department invests considerable effort to maintain regular public reporting over more than 80 child safety performance measures. Queensland provides more information and transparency around child safety performance than any other child safety authority in Australia. I am pleased to advise the amount of information detailed in these measures will be expanded, with the release of the new quarterly data for March in priority areas about permanency, over-representation of Aboriginal and Torres Strait Islander children and young people and mandatory reporting outcomes.

The limitation was explained in answer to question on notice 411 when the substantive element of the question, harm type comparisons could not be provided. In that answer I explained: “The breakdown of type of harm for the data requested does not form part of standard reporting”.

I note the Member for Mudgeeraba omitted this detail in her letter to you.
Question on notice 515 was identical to 411 and sought the same response for the next quarter. I note the Member asked the identical question without refining the request or acknowledgement of the limitations already explained. This required my reply to re-iterate the former advice that “the breakdown of information requested does not form part of standard corporate reporting and would require an extraction of data, which would divert officers from supporting frontline work.”

With regard to question on notice 647, I note the Member for Mudgeeraba has again selectively quoted from the answer provided to the Member for Gympie.

That question asked about a website function for reporting missing children. My answer clearly detailed “there is no function for reporting children missing on the department’s website”.

Unfortunately the question was based on an incorrect understanding about how reports about missing children are made. The correct information, including links to the department’s website was provided in my answer. This fact, again, has been omitted by the Member for Mudgeeraba in her letter to you.

A complete reading of my answer to question on notice 647, clearly shows this correction was provided. In addition my answer included information about progress in implementing the recommendations of the Queensland Family and Child Commission’s report When a child is missing: Remembering Tiahleigh. This is very relevant for any member concerned about how government agencies and the community respond to reports about missing children.

Implementation of Recommendation 19 of that report, includes the annual reporting of missing children. This was provided for the benefit of the Member of Gympie. This additional information has been misconstrued by the Member for Mudgeeraba in her letter to you.

Attached for your information are my answers to all three questions on notice in full. I believe the Member for Mudgeeraba’s selective quoting from my answers to these questions on notice is consistent with her ongoing politicisation of child safety issues.

I trust this information assists you in considering the matters raised.

Yours sincerely

Shannon Fentiman MP
Minister for Communities, Women and Youth
Minister for Child Safety
Minister for the Prevention of Domestic and Family Violence
MR PERRETT asked the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence (HON S FENTIMAN)—

QUESTION

Will the Minister advise (a) how many missing children reports were made to the department via the department website, of children in care since the function went live, (b) how many children in care were reported missing in 2015-16 and 2016-17 year to date and (c) how many children were missing for more than 5 days?

ANSWER

The DCCSDS website provides information and advice for carers and carer agency staff when responding to situations where a child in out-of-home care is missing from where they live.

These documents are available on the department’s website at:


Concerns for missing children should always be reported to police as soon as possible after all reasonable attempts to locate the child have failed, or immediately if there are concerns for the child’s safety and wellbeing.

However, there is no function for reporting children missing on the department’s website.

For the benefit of the member, I can confirm in accordance with recommendation 19 of the Queensland Family and Child Commission’s When a child is missing: Remembering Tiahleigh report, 2016-17 data on children missing from out-of-home care will be provided in the department’s Annual Report.

As part of the 2017-18 State Budget, the Queensland Government has also provided from 2017-18 an additional $4.6 million over four years, in addition to $2.6 million allocated by the department over two years to develop and support a critical ICT system, which will enable greater information sharing between agencies when children in out-of-home care go missing. This $7.2 million investment includes development costs of $4.9 million and support costs of $2.3 million.

Work has commenced on the system, known as Our Child, with Phase 1 of the project due to be delivered in March 2018. This initial functionality will enable the sharing of information held by the DCCSDS and Department of Education and Training with the Queensland Police Service.
MS BATES asked the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence (HON S FENTIMAN)—

QUESTION

With reference to the 10,016 notification investigations as at 31 December 2016—

Will the Minister advise (a) how many of the investigations that took longer than 60 days to finalise were initially listed as (i) 24 hour, (ii) 5 day and (iii) 10 day response and (b) how many of the investigations that took longer than 60 days to finalise were listed as sexual, physical, emotional abuse and neglect (reported by abuse type)?

ANSWER

The breakdown of information requested does not form part of standard corporate reporting and would require an extraction of data, which would divert officers from supporting frontline work. However, Queensland's Child Safety Services has one of the most open and comprehensive reporting systems across Australia. Approximately 80 measures are reported on a quarterly basis via the department's Our Performance webpage, and can be accessed at www.communities.qld.gov.au/childsafety/about-us/our-performance.

There are a number of reasons why an investigation can take a longer period of time to complete. For example, the complexity of the family structure may require greater engagement with the family, and increased time to complete the investigation.

During all investigations, Child Safety Officers undertake regular safety assessments. If there are ever concerns that a child may be at risk the child is temporarily removed, even though the investigation may be ongoing. Child Safety Officers achieve this through the use of a Temporary Assessment Order or a Court Assessment Order. The number of those orders made are reported on a quarterly basis via the department’s Our Performance webpage. During 2016 there were 920 admissions made to Temporary Assessment Orders and 918 admissions to Court Assessment Orders. This highlights the steps Child Safety Officers take to ensure children are safe during any investigation.
Question on Notice
No. 411
Asked on 22 March 2017

MS BATES asked the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence (HON S FENTIMAN)—

QUESTION

With reference to notification investigations not responded to within timeframes for the year ending 30 September 2016—

Will the Minister advise how many of the (a) 412 24-hour cases, (b) 5,637 5-day cases and (c) 7,008 10-day cases were subsequently recorded as substantiated abuse (reported separately and by abuse type)?

ANSWER

Queensland investigates all notifications to be sure children are safe, despite more than three quarters of all investigations revealing no harm to children. From the moment a concern is received by the Department of Communities, Child Safety and Disability Services, the response and assessment of a child’s safety begins. Where necessary, the department contacts other agencies and professionals such as teachers, police and service providers to gather further information about the child’s safety and wellbeing as part of pre-notification checks. Contact is then made with the subject children and their families, and this is considered the starting point for the commencement of the formal investigation and assessment.

There are a number of reasons why contact cannot be made with subject children and their families which influence investigation and assessment commencement rates, and result in the data not being an accurate representation of the effort and activities undertaken by Child Safety investigation and assessment teams. Reasons include:

- the child’s family cannot be located, for example, due to insufficient information to identify the family being provided by the notifier
- the family is actively avoiding contact
- a police investigation may be in progress and the department is requested to not make contact with the family
- the location of the family and necessary travel arrangements may delay departmental staff commencing the investigation, for example, in cases where families live in remote communities.

For further context a comparison of the year ending 30 December 2014 and 30 September 2016 and is provided below.

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<th>12 months to 30 December 2014</th>
<th>12 months to 30 September 2016</th>
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<tr>
<td>In relation to (a)</td>
<td>98</td>
<td>130</td>
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<tr>
<td>In relation to (b)</td>
<td>1492</td>
<td>1481</td>
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<tr>
<td>In relation to (c)</td>
<td>2020</td>
<td>1497</td>
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<tr>
<td>Total</td>
<td>3610</td>
<td>3108</td>
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It is important to note that not all children who are substantiated for harm or risk of significant harm require further intervention by the department. In more than 40 per cent of the cases the children were found to have a parent able and willing to protect them from harm.

Since late 2015, actions have been implemented to target better response times for investigations and assessments across regional offices. The Palaszczuk Government is rolling out specialist investigation team in high priority regions and has announced an extra 129 frontline and frontline support positions in the 2016-17 financial year.

The breakdown of type of harm for the data requested does not form part of standard reporting; however, Queensland's Child Safety Services has one of the most open and comprehensive reporting systems across Australia. Approximately 80 measures are reported on a quarterly basis via the department’s Our Performance website and can be accessed at www.communities.qld.gov.au/childsafety/about-us/our-performance.

The types of harm substantiated over the last 5 years has remained fairly steady, with emotional harm and neglect as the most serious harm type comprising the majority of substantiations (average of 78 per cent). It is encouraging that as new investment in family support services continues, the number of substantiations are declining.