

Government Response to the Child Death Review Board 2022-23 Annual Report

Background

The Child Death Review Board (the Board) was established on 1 July 2020 under the *Family and Child Commission Act 2014* (Qld) (FCC Act), as a new independent model for reviewing the deaths of children connected to the child protection system.

Pursuant to section 29A of the FCC Act, the Board's purpose is to identify opportunities for continuous improvement in systems, legislation, policies, and practices as well as to identify preventative mechanisms to help protect children and prevent deaths that may be avoidable.

Following the deaths of children connected to the child protection system, the Board carries out systems reviews, and in doing so, analyses data, and applies research to identify patterns, trends, and risk factors in relation to the child protection system. In addition, the Board makes recommendations about legislative changes and improvements to systems, policies, and practices, which are set out in its Annual Report submitted to the responsible Minister (the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence). The Annual Report is also a mechanism by which the Board carries out its function of monitoring and reporting on the implementation of its previous recommendations.

2022-23 Annual Report

This is the Board's third Annual Report and includes monitoring the implementation of 16 recommendations made by the Board in its two prior annual reports.

The Board reviewed 60 cases relating to the deaths of children and young people who were connected to the child protection system. This was an increase of five cases compared to the last two reporting periods.

Aboriginal and Torres Strait Islander children and young people continue to be overrepresented, constituting 47% (28) of child deaths reviewed in 2022-23.

The Board has made **recommendations** (set out in the table below), across five focus areas:

1. assessing the safety of children who are registered for home education
2. reappraising the response to youth crime and the purpose of youth justice
3. improving research on the needs of First Nations communities
4. strengthening child safety practice in response to parental substance and methamphetamine use
5. assisting workers to recognise and respond to parental deception.



Government Response

The Queensland Government acknowledges the lives of the children who have died, their families and other loved ones and thanks the Board for their difficult and important role to make recommendations that keep vulnerable children and young people in Queensland safe. The Queensland Government is committed to improving systems, legislation, policies, and practices with the ultimate goal of protecting children and preventing avoidable deaths. Given the high proportion of First Nations children in the child protection system the Queensland Government has committed to Close the Gap through implementation of the National Agreement on Closing the Gap, particularly:

- Target 11: By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30 per cent.
- Target 12: By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent.
- Target 13: By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50 per cent, as progress towards zero.
- Target 14: Significant and sustained reduction in suicide of Aboriginal and Torres Strait Islander people towards zero.

The Queensland Government has now carefully considered the Board's third Annual Report and its recommendations, acknowledging that it is the collective responsibility of more than one government department to promote the safety, wellbeing and best interests of children and young people.

For transparency and accountability, the Queensland Government has decided to publish a response outlining the actions being taken to implement the Board's recommendations. A response to each of the Board's recommendations is provided in the table below.

Recommendations	Responsible Agencies	Response
<p>1. Assessing the safety of children who are registered for home education</p> <p><i>The Board recommends that the Department of Education:</i></p> <p>1.1 initiate a regular process of data sharing with Police and Child Safety to identify home-schooling students who may benefit from in-school support services; and</p> <p>1.2 pursues legislative changes to strengthen oversight of children registered for home education in Queensland, with a focus on upholding the child's rights, best interests, safety and wellbeing at all stages of a child's home education registration.</p>	<p>Department of Education (DoE), Queensland Police Service (QPS), Department of Child Safety, Seniors and Disability Services (DCSSDS)</p>	<p>All Queensland children are entitled to be safe wherever they live and learn.</p> <p>The Queensland Government is committed to ensuring that home educated children are safe and thriving. The Queensland Government respects the right of parents to educate their child at home and acknowledges the importance of ensuring effective regulation of home education, while supporting parents and children.</p> <p>The Minister for Education has announced a review of the Queensland Home Education Unit (HEU Review), supported by a stakeholder led Home Education Expert Group. The review will:</p> <ul style="list-style-type: none"> • consider the diverse experience and needs of home educating parents • identify gaps and areas for improvement in the approach to regulation, education and support of home educators; and • provide recommendations, where appropriate, to enhance the effectiveness of regulation, including supports for parents, options to engage more broadly with home educators in the absence of a peak body, and other supportive activities within the existing legislative framework of the <i>Education (General Provisions) Act 2006</i> (Education Act). <p>Recommendation 1.1 – support in principle</p> <p>Outcomes of the HEU Review will inform how DoE can support home educating families, so children and young people can access a high-quality education.</p> <p>DoE is a member of the Queensland Family and Child Commission (QFCC) cross-agency working group (including DCSSDS and QPS) reviewing the prevalence of home education in high-risk home environments (QFCC review).</p>

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		<p>An aspect of the QFCC review includes working with agencies to match data to identify the number of home educated children who are living in high-risk home environments (including those with concerning child protection and domestic and family violence (DFV) histories).</p> <p>As part of the QFCC review, DoE will participate in an information sharing trial led by QFCC to match 500 home-schooled student records with DCSSDS data about children found to be in need of protection and resulting in an intervention. A similar information sharing trial is being developed with Queensland Catholic Education Commission and Independent schools Queensland.</p> <p>The QFCC review outcomes will inform development of options for proposed ongoing data sharing between agencies, giving consideration to associated legislative and system implications.</p> <p>QPS Child Abuse and Sexual Crime Group will undertake a full review of Chapter 7 (Child Harm) of the QPS Operational Procedures Manual. This will include reviewing supporting guidelines to ensure a continued focus on appropriate child harm reporting, including the risk to children in DFV contexts, and ongoing consideration of emotional and accumulative harm. This review may include updating reporting and information sharing guidelines.</p> <p>The <i>Child Protection Act 1999</i> allows the Child Protection chief executive to request information from QPS and to enter into an information sharing arrangement. However, regular sharing of data between DoE, DCSSDS and QPS would require legislative amendment to enable data sharing, development or alterations to IT systems, and development of operational protocols. Authorising and operational matters will need to be further considered following the outcomes of the HEU Review, and the QFCC review's findings.</p>

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		<p>Recommendation 1.2 – for further consideration</p> <p>The <i>Education (General Provisions) Act 2006</i> sets out the legislative framework for the regulation of home education in Queensland. Amendments to the home education legislative framework under the Act will require further consideration by government following completion of the HEU Review and consultation with relevant stakeholders. Home education regulation will be considered in the context of the existing child safety legislative framework for the oversight of safety and wellbeing of children.</p> <p>The HEU Review is expected to be completed in 2024. The HEU Review will provide recommendations to enhance the effectiveness of home education regulation. Any additional changes required to be made to legislation will be addressed in future reviews of the <i>Education (General Provisions) Act 2006</i> proposed from 2025 onwards.</p>
<p>2. Reappraising the response to youth crime and the purpose of youth justice</p> <p>2.1 The Department of Youth Justice takes immediate action to articulate Queensland’s Detention Operating Model, and Government commits to publishing this model.</p>	<p>Department of Youth Justice (DYJ)</p>	<p>The Queensland Government is committed to reforming the youth justice system to strengthen the prevention, early intervention and rehabilitation responses to youth crime and make communities safer.</p> <p>Recommendation 2.1 – supported</p> <p>Since this recommendation was made, DYJ has added new information to the DYJ website; including a new services map¹ and a dedicated page on separation² in youth detention centres. DYJ will continue to publish comprehensive information about the youth detention operating model, philosophy, and policy and procedure frameworks on its website³.</p>

¹ https://desbt.qld.gov.au/_data/assets/pdf_file/0027/23868/services-youth-detention-centres.pdf

² <https://www.qld.gov.au/law/sentencing-prisons-and-probation/young-offenders-and-the-justice-system/youth-detention/about-youth-detention/separation#:~:text=Any%20time%20your%20child%20is%20placed%20in%20a,%28e.g.%20needing%20some%20alone%20time%29%20to%20protect%20people>

³ <https://desbt.qld.gov.au/youth-justice/resources>

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<p>2.2 The Department of Youth Justice produce a workforce strategy for Queensland youth detention centres for immediate effect, and for inclusion into the Detention Operating Model for Queensland's new detention centres.</p>		<p>Recommendation 2.2 – supported</p> <p>DYJ has developed a comprehensive plan to promote sustained workforce growth to support frontline youth detention service delivery. Strategies include ongoing investment in staff training, utilising recruitment and retention analytics to refine processes, strengthening applicant supports, defining the department's Employee Value Proposition, improving staff compensation, building a diverse workforce, redeploying staff as required and partnering with a range of education and employment service providers to build an ongoing applicant pool for scheduled recruitment cycles. This plan also includes specific regional initiatives relevant to Queensland's new youth detention centres.</p> <p>The DYJ <i>Reframing the Relationship and Youth Detention Reform Action Plan</i> outlines that DYJ is committed to developing strategies to improve workforce recruitment with Aboriginal and Torres Strait Islander people in consultation with local First Nations Action Boards and local groups, Indigenous Reference Groups, and local stakeholders. The Cultural Capability workplan consists of an intensive training designed to build the capability of workforce employed within DYJ.</p> <p>The Minister for Education and Youth Justice has announced a new youth justice peak body that will work with justice representatives and the government to inform policy that improves community safety. One of its priorities is to develop strategies to deliver a capable and effective youth justice workforce. This work will enhance DYJ's workforce strategy.</p>
<p>3. Reappraising the response to youth crime and the purpose of youth justice</p> <p>3.1 The Queensland Government immediately fund and introduce improved reporting on youth detainees</p>	DYJ	<p>Recommendation 3.1 – supported</p> <p>DYJ will introduce improved reporting on youth detainees' time out of cells (in alignment with the Report on Government Services reporting that already</p>

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<p>time out of cells (in alignment with the Report on Government Services reporting that already occurs for adults) and agree to champion this measure for inclusion in nationally consistent reporting with other jurisdictions.</p> <p>3.2 The Queensland Government commission the Board to utilise its review process to review the cases of young people on the Serious Repeat Offender Index and advise Government on the common system issues and opportunities to prevent and reduce reoffending for young people in this cohort.</p>		<p>occurs for adults) and will champion this measure for inclusion in nationally consistent reporting with other jurisdictions.</p> <p>Recommendation 3.2 – supported in principle</p> <p>This recommendation is supported in principle noting that the intent of the recommendation will be addressed through other work already underway across government.</p> <p>Young people on the Serious Repeat Offender Index (SROI) are considered by Multi-Agency Collaborative Panels (MAC-Ps) as a tier 2 response to address challenges and barriers in the delivery of case management. There is significant work underway to implement recommendations for changes to MAC-P responses. Review or evaluation of responses to young people on the SROI prior to the implementation of these recommendations would not provide results in line with new practice. Work is also underway as part of the YJ Senior Officers Reference Group to identify systemic issues escalated from MAC-Ps.</p> <p>The Queensland Audit Office (QAO) has recently published the performance audit report <i>Reducing serious youth crime</i>⁴ (tabled 28 June 2024). It assessed whether youth justice strategies and programs are effective in reducing crime by serious repeat offenders.</p> <p>Overall, the report found that oversight and coordination of the youth justice system has improved, including through the creation of committees that enable departments to coordinate and prioritise their responses to young people in the system. However, there remain long-standing issues across the system, including detention centre capacity. The QAO report makes 12 recommendations, eight of which are directed to the DYJ, four to QPS and two to the Department of the Premier and Cabinet.</p>

⁴ https://www.gao.qld.gov.au/reports-resources/reports-parliament/reducing-serious-youth-crime?mc_cid=ec61aae37e&mc_eid=1175ce1e5c

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		<p>Agency responses to the recommendations have been published along with the report and recommendations are agreed or agreed in principle.</p> <p>Significant reform has occurred while the audit was undertaken from May 2023 across the system. DYJ has implemented five of eight recommendations with the remaining three currently being implemented to address the findings.</p> <p>The Queensland Government is also investing more than \$500 million for prevention and early supports for children and families to set young people on a positive pathway for the future and to reduce the growing demands on more costly tertiary interventions later in life.</p> <p>Responses to young people on the SROI were also considered by the Youth Justice Reform Select Committee in its interim report⁵ which made 60 recommendations, of which government has accepted 23 in full and 37 in principle.</p>
<p>4. Improving research on the needs of First Nations communities</p> <p>The Queensland Government strengthens its policies to ensure that research seeking to understand the needs of First Nations families is designed, procured, coordinated and conducted involving First Nations professionals.</p>	<p>All agencies as relevant</p>	<p>Recommendation 4 – supported</p> <p>Queensland Government agencies commit to strengthening their research policies to ensure that research seeking to understand the needs of First Nations children, young people and families is designed, procured, coordinated and conducted through working with First Nations professionals.</p> <p>Agencies will continue to work towards developing and strengthening policies that align with the:</p> <ul style="list-style-type: none"> National Health and Medical Research Council’s <i>Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders</i>;

⁵ <https://documents.parliament.qld.gov.au/tp/2024/5724T725-B9B9.pdf>

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		<ul style="list-style-type: none"> • Australian Institute of Aboriginal and Torres Strait Islander Studies' <i>Code of Ethics for Aboriginal and Torres Strait Islander Research</i>; • <i>National Agreement on Closing the Gap</i> Priority Reform Four: Shared Access to Data and Information at a Regional Level; and • <i>Queensland Indigenous Procurement Policy</i>, which provides a whole-of-government framework to increase procurement with Indigenous businesses and can be applied to ensure that procurement for research projects contracts with First Nations businesses and professionals. <p>In 2023, DCSSDS released the <i>Child and Family Research Agenda</i>. Under this agenda, DCSSDS prioritises research led by or developed in partnership with Aboriginal and/or Torres Strait Islander researchers. DCSSDS requires all proposals for prescribed research to comply with the principles of Indigenous data sovereignty and governance as outlined in the 13 June 2023 <i>Indigenous Data Governance Communique</i> of the National Indigenous Data Sovereignty Summit.</p> <p>Further, under the Our Way strategy action plan, <i>Breaking Cycles 2023-2025</i>, DCSSDS has committed to expanding data sharing and ownership capabilities to achieve Aboriginal and Torres Strait Islander Data sovereignty and governance including:</p> <ul style="list-style-type: none"> • Continuing to expand and develop, through technology, policy and legislation, the data sharing and ownership capabilities delivered through Unify to the Aboriginal and Torres Strait Islander Community Controlled Organisation sector to achieve data sovereignty (ongoing through 2031); • Continuing to support the Queensland Aboriginal and Torres Strait Islander Child Protection Peak (QATSICPP) Centre of Excellence to ensure Aboriginal and Torres Strait Islander evidence is at the

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		<p>forefront of driving change in the Queensland child protection system and to ensure culturally strong evidence is utilised in delivering outcomes for Aboriginal and Torres Strait Islander children and families;</p> <ul style="list-style-type: none"> • Using evidence-based research and frameworks produced by the QATSICPP Centre Of Excellence to form the basis for increased investment and development of new programs and services by the Queensland Government to support Aboriginal and Torres Strait Islander children and families (ongoing through 2025); and • Continuing to monitor and evaluate the implementation, impact and outcomes of the <i>Breaking Cycles</i> phase of the <i>Our Way</i> strategy. Monitoring and Evaluation activities for <i>Our Way</i> prioritise the voices of Aboriginal and Torres Strait Islander peoples in the design, data collection, analysis and reporting processes and will contribute evidence to influence the future design of policy, program and service delivery with and for Queensland Aboriginal and Torres Strait Islander children, families and communities (Reporting in October 2024; Outcomes Evaluation late-2025). <p>The <i>Youth Justice Research Agenda 2023 – 2024</i> prioritises working with and empowering Aboriginal and Torres Strait Islander communities to deliver culturally-safe and responsive solutions that result in positive futures for their children.</p> <p>The QH <i>First Nations First Strategy 2032</i> includes actions to:</p> <ul style="list-style-type: none"> • Enable access to world quality data that supports holistic evidence-based decision-making, and promote world-class First Nations health research and evaluation; and

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		<ul style="list-style-type: none"> Focus on building First Nations research and researcher capability and capacity.
<p>5. Strengthening child safety practice in response to parental substance and methamphetamine use</p> <p>The Queensland Government invests in a practice guide that will support frontline practitioners in their risk assessments of children whose parents' substance use is problematic. This practice guide should cover:</p> <ul style="list-style-type: none"> clear definitions of the thresholds for intervention types a framework of identifiable markers of risks the safety planning mechanisms and wraparound services that must be implemented to ensure a child's safety. 	<p>DCSSDS (lead), Queensland Health (QH)</p>	<p>Recommendation 5 – supported</p> <p>The Queensland Government acknowledges the Board's observations that problematic alcohol and drug use by parents or caregivers can have significant impacts on a child's physical, emotional and mental health and, in the cases reviewed by the Board, placed children at harm or at an unacceptable risk of harm. The Queensland Government is committed to supporting communities, families and individuals where substance use, and in particular, methamphetamine use, is a problem.</p> <p>DCSSDS have the <i>Assess Harm and Risk of Harm</i> Practice Guide, which assists staff to gather and analyse relevant information and form a professional judgement regarding future likelihood of significant harm to inform a decision regarding intervention. Drug use is referenced as a risk factor in this Practice Guide. Additionally, Child safety staff, including Child Safety Officers (CSOs) have current access to training on the following topics:</p> <ul style="list-style-type: none"> Introduction to alcohol and other drugs (mandatory); Assessing risk and safety (mandatory 3-day workshop); Crystal methamphetamine (Ice) (eLearning); and Responding to inhalant use in the community (eLearning). <p>A <i>Drug and Alcohol Practice Kit</i> is also incorporated in the <i>Child Safety Practice Manual</i> to provide practitioners with expert advice and guidance to inform their practice with parents who are using drugs and alcohol. DCSSDS are currently reviewing the kit to ensure it includes the most contemporary information and advice.</p>

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		<p>The Practice Guide has also been reviewed and updated in the context of the DCSSDS' <i>Enhanced Intake and Investigation Approach</i> which will be launched with the new ICT case management system UNIFY.</p> <p>The Child Safety Office of the Chief Practitioner in DCSSDS has recently established a new practice leader position focused on alcohol and other drugs to work alongside other practice leaders with expertise in mental health, sexual abuse and exploitation and domestic and family violence.</p> <p>QH will work collaboratively with DCSSDS to support the development and implementation of the Practice Guide through providing specialist alcohol and other drug treatment and harm reduction service system, and clinical advice and information. This will be provided through the QH and state-wide service Insight: Centre for alcohol and other drug training and workforce development.</p>
<p>6. Assisting workers to recognise and respond to parental deception</p> <p>The Queensland Government invest in measures to help frontline practitioners across agencies identify and respond to attempts at parental deception in the context of domestic and family violence (the frontline practitioners involved should include child protection, health services, education, law enforcement, courts staff and secondary services).</p>	<p>DCSSDS, DJAG, QH, DoE, QPS</p>	<p>Recommendation 6 - supported</p> <p>The Queensland Government is investing \$34.7 million over 6 years from 2023-24 to support the implementation of DFV training in alignment with the DFV Training and Change Management Framework (the Framework), including the DFV Training, Support and Coordination Service (TSCS), development of prioritised Coercive Control and Legislative Change modules and evaluation.</p> <p>DFV training modules, which will be developed and made available through the TSCS, will include content on how to identify and respond to attempts at parental deception in the context of DFV and coercive control. This training will be available to all frontline practitioners and government employees on-line, with some face-to-face training for priority cohorts. Implementation is anticipated to commence in 2025.</p> <p>Establishment of the DFV TSCS (anticipated to commence in December 2024) will support the development and delivery of consistent trauma</p>

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		<p>informed, culturally appropriate and customised DFV training across the government and non-government sectors that aligns to the Framework.</p> <p>The Framework was developed in response to Recommendation 23 of the Women's Safety and Justice Taskforce (the Taskforce) <i>Hear her voice – Report One – Addressing coercive control and domestic and family violence in Queensland</i>, which recommended that the Queensland Government develop an evidence based and trauma informed framework to support consistent training and change management across all parts of the DFV and justice service systems. One of the core learning outcomes identified in the Framework is to understand how persons who use violence can use image management and systems abuse to perpetuate violence and control.</p> <p>DCSSDS is currently developing a refreshed DFV Practice Kit to guide the work of practitioners (including in relation to coercive control); it will be deployed by July 2024. Topics will include victim and perpetrator presentation, and the guide will address behaviour minimisation, denial, and victim-blaming. DCSSDS is also developing a <i>DFV Practice Development and Training Strategy</i>, which will seek to address a range of learning needs for frontline staff, including nuanced assessment of DFV perpetrator presentation and image management.</p> <p>Child safety staff, including CSOs, have current access to training on the following topics:</p> <ul style="list-style-type: none"> • Factors impacting decision making including information on parental deception and disguised compliance; • Defining DFV (mandatory); • Investigate and assess, including a course component on factors impacting decision making (mandatory); • Family Violence informed practice (mandatory one day workshop); • Partnering with survivors of DFV (two-hour workshop);

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		<ul style="list-style-type: none"> • Working with perpetrators of DFV (two-hour workshop); • Impact of violent and coercive behaviours on children; • Working with families when violent and coercive behaviours are causing harm; and • Assessment when DFV is present. <p>DoE has developed training for staff in schools and regional offices about understanding the indicators of DFV, identifying risks, sharing information, and providing support for victim-survivors. By December 2024, DoE will develop information to support the implementation of this recommendation. These materials will be disseminated to staff through this training and through the suite of DFV and student protection resources and training materials available to staff.</p> <p>QH will explore options to develop the capability of frontline staff to identify and respond to parental deception, including consideration of updates to existing child protection training modules. QH commits to completing this work by June 2025.</p> <p>With the introduction of the <i>Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024</i>, the QPS have strengthened DFV targeted training and introduced the whole-of-picture approach when investigating DFV. This approach teaches officers to detect coercive control through identifying the patterns of behaviour that one person uses to establish power over another. The DFV training products also demonstrate how to initiate effective lines of questioning which assist in identifying parental deception.</p> <p>Specific training on parental deception (also referred to as ‘image management’) is included in DFV training.</p>

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		<p>QPS uses the following strategies to ensure officers effectively identify and respond to parental deception (also referred to as 'image management'):</p> <ul style="list-style-type: none"> • 3-day holistic training, 2-day extension and 5-day specialist training with sections on perpetrator tactics; • Tailored training products for frontline officers that include how to identify and respond to DFV. The training products also target child protection requirements and the assessment of immediate and short-term safety needs of all children during domestic and family violence related call-outs; • Perpetrator tactics highlighted as a concern to be addressed in the person centred review; • When relevant, ensuring a Suspected Child Abuse and Neglect report is completed, or children are named on a protection order; • Information exchange between QPS and Child Safety to prevent the use of parental deception tactics used with either agency; • Referrals to the DV High Risk Teams to involve other agencies to gather collateral and accurate information to inform police response; and • Using powers under Part 5A of the <i>Child Protection Act 1999</i> to share information and detect where parent have used deception tactics.