

Our values and ethics

The department embedded the Queensland public sector values (customers first, ideas into action, unleash potential, be courageous and empower people) into its daily business. We invested in the development and capability of staff, and prioritised their safety, health and wellbeing.

The department committed to the highest level of ethical conduct and promoted a culture that reflected the department's integrity framework, ensuring any allegation of corrupt conduct is taken seriously and thoroughly assessed. The department provided mandatory ethical decision-making and code of conduct training.

Allegations of corrupt conduct, or breaches of the *Code of Conduct for the Queensland Public Service* or certain legislation were referred to the department's Professional Standards unit to ensure all allegations were properly assessed. The matter is assessed with consideration given to the definition of corrupt conduct outlined in section 15 of the *Crime and Corruption Act 2001*, the Public Service Commissions' Conduct and Performance Excellence (CaPE) framework and the *Public Interest Disclosure Act 2010*.

During the period 1 July to 12 November 2020 the department:

- received 33 new matters (24 corrupt conduct and 9 misconduct)
- closed 15 matters (5 corrupt conduct and 10 misconduct).

Under Section 88N of the *Public Service Act 2008*, the Public Service Commission is required to publish information annually about the number, types, and management of work performance matters for each agency. For more information visit www.forgov.qld.gov.au/conduct-and-performance-data.

Human rights

The department was committed to respecting, protecting and promoting human rights in decision making and actions in accordance with the *Human Rights Act 2019*. The department partnered with DCSYW on an implementation project in 2019-20 to examine and strengthen its compatibility with human rights in legislation, policy, service delivery, program design and decision making, and organisational culture.

Implementation of human rights is an ongoing and iterative process underpinned by engaged leadership and staff, refined policies and procedures that inform daily decision making, improved complaints management, and information that informs young people about their rights. Training and knowledge raising continued to be a core feature of the department's implementation and more than 130 staff completed human rights training during the reporting period.

Human rights complaints

The department received no formal human rights complaints between 1 July and 12 November 2020, however through the analysis of complaints received the department identified 26 alleged incidents in youth detention centres during the reporting period which included actions from staff that were potentially incompatible with human rights. Of the 26 alleged incidents, 20 related to detention centre staff, three related to staff from Education Queensland, Queensland Health and Police, and one related to the alleged actions of a foster carer. The main human rights engaged and potentially limited included:

- right to life and humane treatment when deprived of liberty e.g. as a result of excessive force
- protection from torture and cruel or inhuman or degrading treatment e.g. inappropriate actions
- protection of families and children e.g. inappropriate contact

All identified incidents were examined, including through the review of CCTV footage where available. In 12 of the incidents the alleged limitation of rights was assessed as reasonable and justified. Of the remaining incidents 11 were resolved, including through local management action, through referral to the department’s Professional Standards Unit, referral to Police, or were referred to the agency of the employee involved. The remaining three matters were subject to ongoing investigation.

COVID-19 and human rights

It is acknowledged that on occasions during COVID-19 human rights were temporarily limited. In making decisions and taking actions the department was mindful of its obligations to act compatibly with human rights by ensuring that any limitations on rights were reasonable and justified. Practice guidance to staff was revised to assist decision making and to reinforce the priority on the safety and wellbeing of young people in youth detention, while ensuring human rights compatibility.

Examples of the human rights engaged during COVID-19 and departmental considerations and responses include:

Rights engaged Example

Right to Life	Prioritising health, safety and wellbeing of young people and staff
Cultural rights	<p>Ensuring cultural unit staff in detention centres continued to support Aboriginal and Torres Strait Islander young people especially regarding operational decisions related to COVID-19</p> <p>Ensuring additional support for young people at the Ipswich District watch house during the BYDC cluster including by Murri Watch, Kambu Aboriginal and Torres Strait Islander Corporation for Health and Sisters Inside</p> <p>Arranging the safe return of Aboriginal and Torres Strait Islander young people to their communities without compromising the safety of these vulnerable communities</p>
Protecting families and children	Ensuring family contact could continue by using technology
Freedom of movement	Developing flexible responses so services could continue despite social distancing requirements e.g. staggering the movement of young people in detention centres
Children in the criminal process	<p>No co-location with adult prisoners at the Ipswich District watch house during the BYDC cluster event – the facility was used solely for children for the two-week period</p> <p>Working closely with legal representatives and courts to ensure young people’s courts matters, and in particular bail applications, were prioritised</p>
Right to education	Maintaining onsite educational programs in detention centres delivered by the Department of Education and providing education packs and materials during the BYDC cluster event
Right to health	<p>Ensuring ongoing support from Behaviour Support Teams and Queensland Health to young people and their families</p> <p>Ensuring additional support for young people at the Ipswich District watch house during the BYDC cluster including by Forensic Child and Youth Mental Health Service.</p>

Complaints management

The department provided a complaints management system, in accordance with 219A of the *Public Service Act 2008*, allowing clients and the general public the opportunity to voice their satisfaction or dissatisfaction with our services. From 1 July to 12 November 2020, the department received 47 complaints, all of which related to detention centres.

In accordance with section 219A of the *Public Service Act 2008* departments are required to publish the following information on the department's website:

- number of customer complaints received by the department in the year
- number of those complaints resulting in further action
- number of those complaints resulting in no further action.

Youth justice complaints information for the reporting period is available on the website of the Department of Children, Youth Justice and Multicultural Affairs.