

Queensland Government second annual progress report  
**Royal Commission into Institutional Responses  
to Child Sexual Abuse**

December 2019



**Queensland**  
Government

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# Message from the Premier



It has now been two years since the Royal Commission delivered its comprehensive *Final Report* into institutional responses to child sexual abuse. The report documented the heartbreaking sexual abuse suffered by far too many children in our nation's institutions and the failure of institutions to respond adequately to the abuse. In making its 409 recommendations the Royal Commission's vision was to entrench a culture of child safety across our entire community.

My Government remains committed to implementing responses to the Royal Commission's recommendations so that the institutional culture that allowed these crimes to occur does not return. Integral to this is a commitment to child safe institutions and embedding within our community a culture that sexual abuse, or abuse of any kind, is not tolerated. Where abuse has occurred, we remain committed to ensuring there are supports in place for children and young people with lived experience of child sexual abuse.

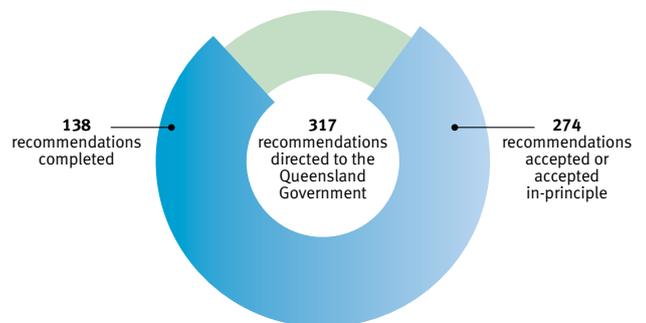
Queensland's reform program was well underway when the Royal Commission released its *Final Report* in 2017. In response to previous Queensland inquiries, we were already implementing reforms which aligned with, and in many cases, anticipated the recommendations the Royal Commission would make in its *Final Report*.

I am pleased to present this second annual progress report which demonstrates Queensland's continuing commitment to build on this program of reform. As at December 2019, the Queensland Government had accepted or accepted in-principle 274 of the 317 recommendations directed to the Queensland Government in the Royal Commission's final report.

Queensland made good progress over 2019 in responding to Royal Commission recommendations, with some key initiatives having been operational for over 12 months.

Most significantly, on 19 November 2018 the Queensland Government joined the **National Redress Scheme** and committed \$500 million to support our involvement. The Queensland Government's participation means that the approximately 5000 people who suffered sexual abuse as children in Queensland Government institutions will be able to seek redress through the National Redress Scheme. As at 31 December 2019, more than 930 applications have been received which identify a Queensland Government institution as potentially responsible for the abuse.

It is critical that all relevant institutions join the scheme so that as many eligible people as possible are able to access redress. There are around 5000 applicants expected to seek redress from non-government institutions, in addition to approximately 5000 people for whom the Queensland Government is responsible. The Queensland Government has worked with the Local Government Association of Queensland to enable councils to participate in the scheme as state institutions. We strongly encourage all relevant non-government institutions to opt in to the scheme as soon as possible.



In October 2019, the Queensland Government released *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence*. The Framework's vision is for a Queensland where everyone lives free of the fear, threat or experience of sexual violence and establishes priorities and objectives for addressing all forms of sexual violence, including youth sexual violence. The three priority areas identified through research and public consultation are prevention, support and healing, and justice and accountability.

Implementation of the Framework through the development of a whole-of-Government action plan to address sexual violence (to be released in 2020) will include consideration of actions to expand access to early intervention programs for children and young people displaying harmful sexual behaviours or who are at risk of experiencing sexual violence.

In September 2018, we established the **Truth, Healing and Reconciliation Taskforce** (the Taskforce), chaired by Mr Bob Atkinson AO APM, and I thank the Taskforce members for their dedication and work over its first year of operation. Officers from the Departments

of the Premier and Cabinet, Justice and Attorney-General, and Child Safety, Youth and Women consulted with the Taskforce on this 2nd Annual Progress Report, with the Taskforce's response provided as an Appendix (page 28).

### Key achievements in 2019

Release of second progress report on implementing recommendations of the Queensland Anti-Cyberbullying Taskforce

Queensland Government releases *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence*

*Civil Liability and Other Legislation Amendment Act 2019* passes Queensland Parliament

*Youth Justice and Other Legislation Amendment Act 2019* passes Queensland Parliament

12 months participation in National Redress Scheme

Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019 introduced to Queensland Parliament

*Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019* passes Queensland Parliament

*Human Rights Act 2019* passes Queensland Parliament

The Taskforce has been pivotal in providing advice to government on implementing Royal Commission reforms, particularly the operation of the National Redress Scheme. A key achievement has been the delivery of the first round of the Truth, Healing and Reconciliation Grants Program, allocating more than \$45,000 to five organisations.

In December 2019, in response to a request from Taskforce members, the Queensland Government expanded the Taskforce's Terms of Reference to also include institutional child physical and psychological abuse within its scope of work. This will enable the Taskforce to better engage with people with lived experience of all types of institutional child abuse.

The expanded role of the Taskforce is consistent with our recent decision to remove the statutory limitation period

for personal injury claims arising from serious child physical and psychological abuse perpetrated in connection with child sexual abuse or serious child physical abuse. These reforms follow earlier legislative amendments to retrospectively remove the limitation periods for commencing an action for damages relating to child sexual abuse (regardless of the setting) which commenced on 1 March 2017.

We have also passed the *Civil Liability and Other Legislation Amendment Act 2019* which improves the capacity of the justice system to provide fair access and outcomes to people who wish to pursue a claim for civil damages for personal injury arising from abuse experienced as a child.

In November 2019, the Queensland Government introduced legislation which will implement key recommendations from the Royal Commission's *Criminal justice* report. This includes new offences relating to failing to report all child sexual abuse to police and failing to protect a child from institutional child sexual abuse. This legislation also provides a framework for the use of intermediaries to provide communication support to certain prosecution witnesses, including children under 16 years, in child sexual offence prosecutions.

Critical to the Royal Commission's findings and recommendations was the need to not just focus on creating child safe institutions, but also on embedding a culture of child safety within our wider community. We are working towards this goal by considering Royal Commission recommendations as part of development of broader government policies and initiatives.

This is particularly relevant to our work in responding to the recommendations made by the Queensland Anti-Cyberbullying Taskforce in its report *Adjust our Settings: A community approach to address cyberbullying among children and young people in Queensland*, released on 14 September 2018. Protecting our children from cyberbullying is critical to create a safe and respectful environment for children — one that can result in children growing into more respectful adults in the future.

In November 2019, I was pleased to release my Government's second progress report on implementation of the 29 recommendations made by the Taskforce. Key achievements in 2019 include: delivery of the 2019 Tackle Cyberbullying Grants Program funding 46 projects across the State to deliver local solutions to address cyberbullying, the delivery of *CONVO2019*, a youth anti-cyberbullying event on 21 October 2019 and the allocation of a further \$1.2 million in funding for parenting skills programs and digital skills training, including the engagement of a full-time Cyberbullying Consultant at Parentline.

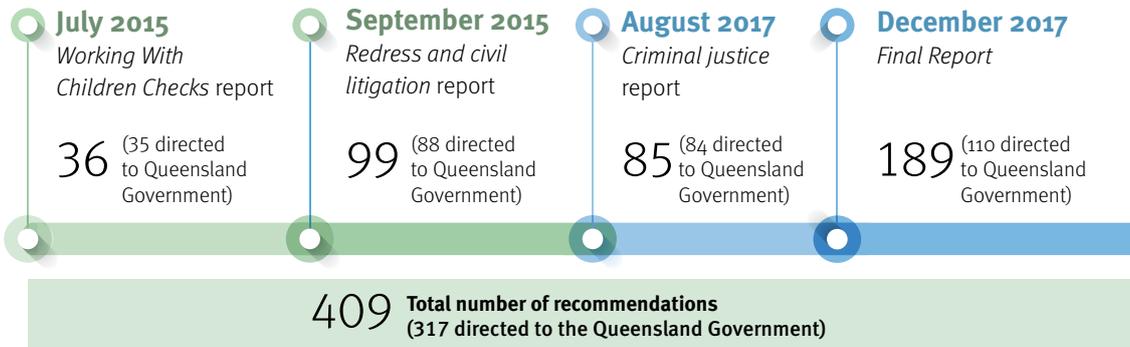
In 2019, all Queensland Government departments continued to work towards incorporating the Royal Commission's Child Safe Standards in their policies, procedures and guidelines. In 2020, we will continue this work to support the creation of child safe institutions and to embed child safe values within our community.

The *Queensland Government second annual progress report: Royal Commission into Institutional Responses to Child Sexual Abuse* demonstrates Queensland's continued commitment to responding to the Royal Commission's recommendations and creating a safe environment for our children and young people to thrive.



**The Honourable Anastacia Palaszcuk MP**  
Premier of Queensland and Minister for Trade

# Overview



The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) delivered 409 recommendations through four reports across five years, with the *Final Report* presented on 15 December 2017. Of the 409 recommendations, 317 were directed to the Queensland Government, either solely or jointly with other jurisdictions.

The Royal Commission’s recommendations seek to prevent child sexual abuse, respond appropriately when sexual abuse does occur, support those who have experienced institutional child sexual abuse and ensure institutional responses are child-focused, accountable and transparent.

In June 2018, the Queensland Government released the *Queensland Government response to the Royal Commission into Institutional Responses to Child Sexual Abuse* (the Queensland Government response), accepting or accepting in-principle 215 of the 317 recommendations directed to the Queensland Government. Following further examination of the Royal Commission’s recommendations, the *Queensland Government annual progress report: Royal Commission into Institutional Responses to Child Sexual Abuse* (the first annual progress report) was released in December 2018, with 238 recommendations accepted or accepted in-principle.



This second annual progress report provides an update on the Queensland Government's implementation of the Royal Commission's recommendations over the 12 months since the first annual progress report in December 2018. A total of 274 recommendations have now been accepted or accepted in-principle, an increase of 59 since the Queensland Government response. Work on implementing 138 of the recommendations directed to the Queensland Government has been completed.

More detailed information on the progress made on each of the Royal Commission's reports and key activities undertaken in 2019 is outlined in the following sections.

### **Shared responsibility**

The Queensland Government, in partnership with the Federal and other state and territory governments, continues to participate in a variety of national forums to progress recommendations of the Royal Commission which require national leadership, consistency or collaboration.

In 2019, this included working with the National Office of Child Safety, the Community Services Ministers Forum, Children and Families Secretaries Group, Ministers' Redress Governance Board, Council of Australian Governments (COAG) Education Council, COAG Health Council, COAG Council of Attorneys-General, Ministerial Council for Police and Emergency Management, the Council of Australasian Archives and Records Authorities, and the Child Abuse Royal Commission National Taskforce.

### **Partnering with the community**

To achieve the Royal Commission's vision for reform that will make fundamental changes across the entire community, it is essential that governments continue to build and foster strong partnerships with non-government institutions and the community. The Queensland Government is committed to ongoing and meaningful

engagement with the broader community and non-government organisations as it continues to implement the Royal Commission's recommendations.

### **Truth, Healing and Reconciliation Taskforce**

The Truth, Healing and Reconciliation Taskforce (the Taskforce), chaired by Mr Bob Atkinson AO APM, held six formal meetings in 2019. Key topics considered by the Taskforce included: amendments to Queensland's Working with Children Checks regime; the National Redress Scheme; support services available to people with lived experience of child sexual abuse and their families; the proposed introduction of new child sexual abuse offence laws; and people with lived experience of child sexual abuse having access to relevant institutional records.

A key focus for the Taskforce in 2019 was the National Redress Scheme. The Taskforce provided advice to the Queensland Government on the Queensland Government's participation in the National Redress Scheme, particularly in relation to the delivery of Direct Personal Responses and counselling and psychological care to applicants.

In addition, the Taskforce provided input into the development of *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence* and proposed amendments to the *Child Protection Act 1999*.

In 2019, members of the Taskforce presented at the National Child Protection Conference and the South West Child Protection Symposium in Toowoomba. Taskforce members hosted an open forum on international learnings on institutional child abuse with guest speaker Dr Marie Wilson, former Commissioner with Canada's Truth and Reconciliation Commission. The Taskforce also had the privilege of being invited to speak with the former boys and girls of the Cherbourg dormitories and attending the opening

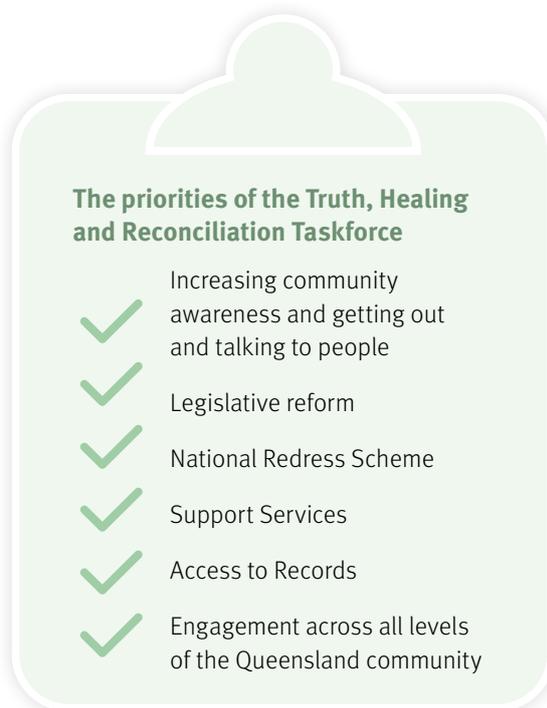
of the new exhibition of the Cherbourg Boys Dormitory developed by the Ration Shed Museum Committee.

The Department of Child Safety, Youth and Women (DCSYW), with advice from the Taskforce, has delivered the first round of the Truth, Healing and Reconciliation Grants Program, allocating more than \$45,000 to five organisations in 2019. Successful grant recipients will deliver a range of projects aimed at better supporting and acknowledging people with a lived experience of institutional child abuse. Two of the grant recipient organisations will run activities focused on supporting healing for Aboriginal people and Torres Strait Islander people. A second funding round will be available in 2020.

One of the priorities of the Taskforce in 2020 will be to continue to engage with communities and raise awareness of institutional child sexual abuse.

While the Taskforce is not able to advocate for people on an individual basis, the Taskforce remains committed to hearing from people with lived experience of child sexual abuse about their views on Royal Commission-related reforms.

The Taskforce can also assist organisations implementing Royal Commission recommendations through information sessions on the Royal Commission, how to prevent and respond to institutional child sexual abuse, and how to support people with lived experience of child sexual abuse. The Taskforce welcomes



opportunities to provide advice where requested.

In December 2019, the Queensland Government expanded the Taskforce's Terms of Reference to also include institutional child physical and psychological abuse within its scope of work. This will enable the Taskforce to engage more widely with people who have a lived experience of any type of institutional child abuse.

More information on the Taskforce and contact information can be found on its website:

[www.csyw.qld.gov.au/thr-taskforce](http://www.csyw.qld.gov.au/thr-taskforce)

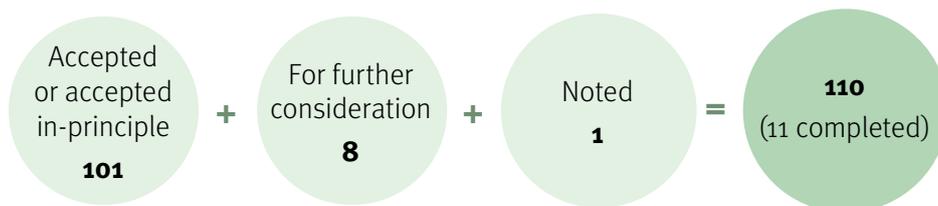
# Queensland Government implementation

The Queensland Government is continuing to make progress on the implementation of recommendations contained in the Royal Commission's 2017 *Final Report*. As noted in the Queensland Government response and first annual progress report, the Queensland Government is implementing Royal Commission recommendations in the context of responding to all recent reviews and inquiries. The implementation of these recommendations is being informed by the pre-existing body of reform already underway in Queensland.



# Final Report (2017)

## Final Report recommendations



The *Final Report* contained 189 recommendations, with 110 directed to the Queensland Government (either solely or jointly with other jurisdictions). As at December 2019, the Queensland Government had accepted or accepted in-principle 101 *Final Report* recommendations, with eight requiring further consideration and one noted. Implementation of 11 recommendations has been completed, with work continuing on the remaining recommendations.

## Creating child safe institutions

A primary focus of the Royal Commission was to create child safe institutions, with many recommendations directed at achieving this goal. Various volumes of the *Final Report* focused on particular sectors or issues, and a summary of progress towards addressing recommendations in these volumes is outlined below.

**Volume 6** of the *Final Report* contains 18 recommendations aimed at improving institutional safety for children. The Queensland Government has accepted or accepted in-principle 14 recommendations, with four requiring further consideration.

**Volume 12** contains 22 recommendations relating to preventing child sexual abuse in out-of-home care, and providing effective responses if it does occur, including three recommendations relating to data collection and reporting. The Queensland Government has accepted or accepted in-principle all 22 recommendations.

**Volume 13** contains eight recommendations to prevent child sexual abuse from occurring in schools and, where it does occur, to help ensure effective responses. The Queensland Government has accepted in-principle all eight recommendations.

**Volume 14** contains two recommendations to enhance child safety in sport, recreation, arts, culture, community and hobby groups. The Queensland Government has accepted in-principle these two recommendations.

**Volume 15** contains 10 recommendations to prevent child sexual abuse from occurring in detention environments and, where it does occur, to help ensure effective responses. The Queensland Government has accepted in-principle nine recommendations, with one noted.

### National strategy to prevent child sexual abuse

The Queensland Government is working with the National Office for Child Safety and state and territory governments to promote consistent national responses to keeping children and young people safe through the Children and Families Secretaries Group Priority Four Child Safety Working Group (the Working Group).

Key initiatives being progressed through the Working Group include the development of the **national strategy to prevent child sexual abuse**. While this work is being led by the National Office for Child Safety, successful implementation of the national strategy requires the collaboration of all state and territory governments. The Queensland Government is committed to supporting this important initiative to ensure the prevention of child sexual abuse is embedded in the national policy agenda.

### National Principles for Child Safe Organisations

As recommended by the Royal Commission, the **National Principles for Child Safe Organisations** were endorsed by the Council of Australian Governments (COAG) in February 2019. The National Principles reflect and incorporate the Royal Commission's 10 Child Safe Standards and are intended to act as a national benchmark for federal, state and territory policy making for child safe organisations.

The National Principles also provide guidance in a nationally consistent way for organisations working with children and young people to develop and maintain a child safe culture. The Queensland Government will continue its collaboration with the federal, state and territory governments to support national initiatives to promote child safe organisations. National approaches will inform and support Queensland's implementation of the Child Safe Standards.

### The Royal Commission's 10 Child Safe Standards

- 1 Child safety is embedded in institutional leadership, governance and culture
- 2 Children participate in decisions affecting them and are taken seriously
- 3 Families and communities are informed and involved
- 4 Equity is upheld and diverse needs are taken into account
- 5 People working with children are suitable and supported
- 6 Processes to respond to complaints of child sexual abuse are child focused
- 7 Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
- 8 Physical and online environments minimise the opportunity for abuse to occur
- 9 Implementation of the Child Safe Standards is continuously reviewed and improved
- 10 Policies and procedures document how the institution is child safe.

### Child Safe Standards

In the first annual progress report, the Queensland Government accepted the Child Safe Standards as informing best practice for Queensland Government departments. Throughout 2019, Queensland Government departments have continued to work to integrate the standards within cultures, policies and procedures that support the provision of Queensland Government services to children.

Opportunities to incorporate the Child Safe Standards are also occurring alongside implementation activities to support the *Human Rights Act 2019*, which commenced on 1 January 2020. The *Human Rights Act 2019* respects, protects and promotes the human rights of all people in Queensland and protects the dignity of all people, especially the most vulnerable.

Most government departments that work with, or provide services to, young people have undertaken or commenced a self-assessment of their policies, guidelines and operational procedures and determined that they are largely compliant with the standards. Where opportunities to further strengthen compliance with the standards have been identified, the considerations are being integrated as part of ongoing reform and renewal processes.

Key initiatives contributing to the implementation of Child Safe Standards across the Queensland Government and creating child safe institutions are outlined below.

### **Child safety**

The Queensland Government is committed to continually improving Queensland's child protection and family support system. The Queensland Government is considering further legislative changes to the *Child Protection Act 1999* (the Act) to continue building a stronger framework for protecting children and supporting families. A public discussion paper, *Rethinking rights and regulation: towards a stronger framework for protecting children and supporting families*, was released in July 2019, proposing a number of options for changes to the Act, including consideration of relevant Royal Commission recommendations.

There are three key focus areas under consideration for the legislative reforms:

- reinforcing children's rights in the legislation
- strengthening children's voices in decisions that affect them
- reshaping the regulation of care.

A consultation summary report was released in December 2019 and is available at [www.csyw.qld.gov.au/cpaconsultation](http://www.csyw.qld.gov.au/cpaconsultation)

The Queensland Government is considering the results of consultation and how these may support a stronger

legislative framework for the child protection and family support system.

**Residential care** – the Royal Commission heard that to meet the complex needs of children with histories of abuse and trauma, residential care should include a therapeutic model of care and regular training and supervision for staff. An element of the Minimum Qualification Standard for residential care workers, Queensland's *Hope and Healing Framework* for residential care enables residential care workers to have the knowledge and skills to provide trauma-informed therapeutic support to children and young people in residential care.

In 2016, the Queensland Government contracted PeakCare Queensland Inc. to implement the *Hope and Healing Framework*, with the final rollout of e-learning modules for residential care workers completed in August 2019.

All residential care workers in Queensland are now required to have completed this trauma-informed training, as well as hold or be enrolled in and working towards a recognised relevant qualification.

**Foster and kinship care** – work is also underway on related reforms that complement and contribute to implementation of Royal Commission recommendations. For example, DCSYW has continued the rollout of related recommendations from the Queensland Family and Child Commission's (QFCC) recommendations in *Keeping Queensland's children more than safe: Review of the foster care system*, which aim to ensure stronger carer assessment, approval and renewal processes as well as an improvement in the quality and consistency of decision making for each applicant.

In partnership with the Queensland Aboriginal and Torres Strait Islander Child Protection peak body and other key stakeholders, DCSYW is developing an Aboriginal Kinship Care program

to ensure culturally safe placements for Aboriginal children and young people. The program will be progressively implemented and adapted to meet the needs of Aboriginal children and young people over the next 18 months.

**Transitioning from care** – to better meet the needs of young people transitioning from care to adulthood up to the age of 25, in 2019 a redesign of Next Step After Care was undertaken in close consultation with children and young people, Aboriginal and Torres Strait Islander organisations and the CREATE Foundation. The new service, Next Step Plus, is due to commence in 2020. Next Step Plus will provide information, referral and targeted support to care leavers up to the age of 25, with a greater focus on cultural responsiveness. Next Step Plus will also support young people who have experienced sexual abuse to access appropriate services.

DCSYW has also been working with the Department of Housing and Public Works to provide housing assistance when young people exit care, as well as during their transition to adulthood and independence up to when they are 25 years of age. The initiative under the *Queensland Housing Strategy 2017–2020 Action Plan* was developed in collaborative co-design with young people, other government agencies, support providers and advocates. Components of the planning conversations with young people, their families and support networks focus on providing housing assistance that best meets their needs and goals, in coordination with government and non-government services.

### **Youth detention**

As noted in the first annual progress report, the Queensland Government is committed to ensuring that the wellbeing and safety of every young person is central to all areas of the Youth Justice portfolio. This includes embedding this philosophy in organisational leadership and governance.

The *Youth Justice Act 1992*, Charter of Youth Justice Principles and the youth detention centre philosophical approach as outlined in the *Youth Detention Centre Operations Manual*, are consistent with, and supportive of, the Child Safe Standards.

On 19 August 2016, the Queensland Government announced an independent review of Queensland's youth detention centres. The Independent Review of Youth Detention (Youth Detention Review) examined the practices, operation and oversight of the state's two youth detention centres in Townsville and Brisbane, in addition to evaluating the effectiveness of programs and services delivered in the centres. On 26 April 2017, the Queensland Government publicly released the Youth Detention Review's report and the government's response, accepting all 83 recommendations.

All recommendations are on track to be completed in 2020.

The Youth Detention Review recommended key amendments to Queensland youth detention policies to ensure safeguarding of children's safety and security in all areas of operational practice. A number of youth detention policies have been amended to reflect improvements in practice.

Updates have also been made to reflect the requirements and considerations as per the *Human Rights Act 2019*. Key improvements include:

- introduction of therapeutic behaviour support plans, that drive integrated practice between professional and operational staff
- embedding restorative practices and cultural safety throughout youth detention operations, supported by the introduction of Cultural Liaison Officers and dedicated Restorative Practice Coordinators.

As part of the Department of Youth Justice's commitment to ongoing improvement, these policies will continue to be regularly reviewed and updated to ensure alignment with contemporary best practice.

The *Youth Justice and Other Legislation Amendment Act 2019* was passed by Parliament on 23 August 2019. This Act included amendments that authorise the use of body worn cameras in youth detention centres. These amendments aim to better protect both staff and young people and include appropriate safeguards against improper recording or use of information. Body worn cameras are now operational in Queensland youth detention centres and will continue to contribute to improved accountability and transparency and support expedited outcomes for complaints and investigations.

The Department of Youth Justice continues to support appropriate training of youth detention staff including speech pathologist facilitated training to improve the ability of staff to communicate with young people across youth detention centres and youth justice service centres. Speech pathologist facilitated training is tailored to the community or detention setting and covers a variety of topics including communication profiles of young people, working with young people with hearing loss and disabilities, adapting language, differences between Australian Aboriginal English and Standard Australian English, and how to access speech pathologists in the community.

Similarly, multiple youth detention and central office staff have attended workshops on Aboriginal mental health and suicide prevention led by Dr Tracy Westerman and will continue to do so in 2020. Staff training in trauma informed practice and restorative practice is also an ongoing priority.

**Oversight mechanisms** – the Queensland Government recognises the need for ongoing improvement to enhance oversight and governance of services for children. Existing mechanisms in place in Queensland include the QFCC, the Public Guardian and the Queensland Ombudsman.

The Queensland Government has committed to the establishment of an independent inspectorate following the recommendations of the Youth Detention Review and the 2017 Queensland Parole System Review.

In December 2017, the Federal Government ratified the *Optional Protocol to the Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment* (OPCAT), which requires designation of National Preventive Mechanism (NPM) bodies. An inter-agency working group was established in mid-2018 to consider options for the nomination of a Queensland body/ies to the NPM network, and work is ongoing.

Since June 2018, collaboration has occurred with speech and language pathologists to ensure that youth detention forms and documents are easily understood by young people, and to improve existing communication and information so that it is more accessible for young people with literacy difficulties or where English is a second language.

Further, as part of the Youth Detention Review implementation, a culturally appropriate animated induction video has been developed to ensure that young people of all literary capabilities are made aware of their rights and ability to lodge complaints.

Youth detention complaints policies and procedures have also been updated to reflect the new requirements of the *Human Rights Act 2019*.

### **Community services**

The Department of Communities, Disability Services and Seniors (DCDSS) continues to embed Child Safe Standards in policies, guidelines and operational practices. To ensure the Child Safe Standards are operationalised, this work is complemented by the provision of training for frontline and other staff as part of Essential Practices Training. Clients and their families and support networks are being kept informed about the incorporation of the Child Safe Standards through awareness raising activities and updates to service documentation and publications.

DCDSS is also supporting changes for non-government providers, through updates to the Human Services Quality Framework (HSQF). Mapping to the Child Safe Standards indicates that HSQF requirements combined with the child and youth risk management strategies under the blue card Working with Children Checks system align well with key elements of the Child Safe Standards. DCDSS will continue to work with other departments participating in the HSQF to ensure consistent approaches to child safe requirements under the HSQF quality assurance processes for funded organisations.

### **Teachers, schooling and early childhood education**

Creating and promoting a culture of safety and awareness across all levels of the Department of Education (DoE), and supporting it with a strong governance framework, is the first step in preventing and responding to child sexual abuse.

DoE identifies the safety of children and students as an areas of lowest appetite for risk and requires assessment of this risk on a quarterly basis. The DoE Enterprise Risk Management Framework supports all central and regional business units to assess their environment to ensure risks to safety are identified, treated and mitigated.

### **Ensuring children know their rights**

DoE plays a key role in informing children and young people about their rights and ensuring they are able to participate in decisions that affect them — a core principle of a child safe organisation. One way DoE achieves this is by providing children and young people opportunities to provide their perspective on their education and schooling environment through an annual school opinion survey in all state schools.

**Personal safety and awareness** – the Daniel Morcombe Child Safety Curriculum aligns to the Australian Curriculum and teaches children about personal safety and awareness. Developed in partnership with the Daniel Morcombe Foundation, Queensland proudly shares this resource with all state and non-state schools across Australia.

**Respectful relationships** – Queensland schools are implementing the Australian Curriculum: Health and Physical Education by the end of 2020, which gives schools opportunities to provide sexual abuse prevention education. Queensland state schools can also access the Respectful Relationships Education Program for all students in Prep to Year 12, which seeks to remove the causes of violence, prevent associated risks and enhance protective factors.

**Strengthening staff capability and screening** – strategies to build capability and empower staff to make decisions that ensure children are safe, healthy and supported to achieve their best is at the centre of DoE's efforts in responding to the Royal Commission's recommendations.

This focus on safety is clear in Queensland legislation, with early childhood education and care professionals and school teachers prescribed as mandatory reporters under the *Child Protection Act 1999* and the *Education (General Provisions) Act 2006*.

Further supporting these mandatory reporting requirements, DoE uses criminal history checks when recruiting staff, with teachers screened through teacher registration processes. Employees in a school environment or an early childhood setting (other than registered teachers) are required to hold a current blue card. The No Card, No Start provisions will be implemented in 2020 and will mean that all people working with children must have a blue card before they start child-related work.

Safety of students in state schools is actively managed by school staff through the Curriculum Activity Risk Assessment process. In July 2019, the department introduced a new procedure 'Safety and wellbeing of students residing at a state school operated residential boarding facility'. This procedure for all state schools with a residential boarding facility requires operating policies and procedures to align with the Child Safe Standards.

#### **Teacher accreditation and registration**

– higher education institutions offering Queensland-accredited initial teacher education programs have confirmed their teacher education programs include strategies to prevent and intervene in bullying or cyberbullying, ensuring Queensland's pre-service teachers are well equipped to respond.

The Australian Institute for Teaching and School Leadership (AITSL) report on the National Review of Teacher Registration – *One Teaching Profession: Teacher Registration in Australia* – contains recommendations for strengthening children's safety, improving and reinforcing teacher quality and streamlining teacher registration processes that are closely related to recommendations from the Royal Commission.

In November 2018, the Education Council tasked AITSL with progressing these recommendations as an immediate priority. DoE has been supporting AITSL in its work in mapping existing jurisdictional

legislation and conducting a comparative analysis identifying commonalities, gaps and risks in legislation and policy across current teacher registration information collection, retention and sharing arrangements. AITSL will now commence work on a best practice framework, and roadmaps for each jurisdiction to meet the framework.

#### **eSafety**

In November 2019, the Queensland Government released the *Second Progress Report: Implementing the Queensland Anti-Cyberbullying Taskforce Report*. Significant progress has been made in implementing all 29 recommendations of the Taskforce, with a total of 19 recommendations now completed.

Key achievements in 2019 included:

- In May 2019, DCSYW delivered the first round of the Tackle Cyberbullying Grants Program where young people and community organisations received up to \$5000 each to deliver anti-cyberbullying projects across the state.
- In October 2019, Queensland hosted *CONVO2019*, a youth anti-cyberbullying event which brought together more than 100 young people, parents and carers from diverse and regional backgrounds, experts and stakeholders, social media company representatives, influencers and support services. Participants learned more about cyberbullying and workshopped ideas to inform campaigns to raise awareness of and address cyberbullying.
- In September 2019, an online portal was launched which makes information accessible to parents, carers, children, young people and all members of the community, with links to credible online sources of information, downloadable resources, and reporting mechanisms including the Office of the eSafety Commissioner (OeSC).

Further, to strengthen parents' knowledge of and confidence in responding to cyberbullying, Parentline is employing a Cyberbullying Consultant to develop and deliver evidence-based training to new and existing Parentline counsellors.

Working collaboratively with the OeSC to deliver the seventh year of cybersafety presentations to Queensland state schools through DoE's web-conferencing platform has been a major capability achievement this year.

Queensland's specialist Cybersafety and Reputation Management (CSRM) team works closely with the OeSC to assist state schools to respond to and prevent inappropriate online behaviour. In the first half of 2019, the CSRM team responded to more than 280 incidents to remove inappropriate online content. The team was commended as a model by the Royal Commission and continues to set the national benchmark, with New South Wales and South Australian education departments requesting information on the Queensland approach.

DoE continues to lead the Safe and Supportive School Communities Working Group, with the *Bullying. No Way!* website attracting more than 40,000 visitors a month and playing a vital role in promoting the annual National Day of Action against Bullying and Violence. The site provides evidence-based information and advice on how to respond to bullying, harassment and violence for Australian teachers, parents and students.

DoE maintains a range of online safety resources and initiatives for primary and secondary school students, parents and carers and school leaders including:

- Cyber Heroes program, promoting messages for primary students on how to be safe, positive and respectful while online
- Enhance Your Digital Identity program, which provides advice to high school students about a positive digital footprint and protecting their reputation for the future
- *Online awareness: Information for parents and caregivers* resource, which provides advice and support to parents and caregivers about keeping their child safe online, and what to do if their child is the target of, or is responsible for, inappropriate online behaviour
- online incident management guidelines for school leaders, with strategies for schools on how to respond to, and investigate online incidents such as sexting, and child exploitation and abuse material.

Work continued during 2019 with representatives from the non-state school sector to ensure a statewide approach to student safety, offering advice in serious incidents of offensive content, access to resources, policies and procedures and regular cybersafety forums.

### **Policing**

**Operation Griffin** – the Queensland Police Service currently chairs the National Child Protection Working Group, also known as Operation Griffin. Operation Griffin continued to progress collaborative partnerships across law enforcement and other relevant stakeholders to enhance national capability for responding to child sexual abuse.

In 2019, Operation Griffin:

- commenced a national review of investigative interviewing of vulnerable persons
- reviewed and endorsed the Australia New Zealand Policing Advisory Agency (ANZPAA) Investigative Interviewing guidelines
- reviewed the ANZPAA Child Exploitation Victim Identification Protocol and determined to rescind

the protocol to incorporate the contents into the broader enhancements of victim identification processes commencing in 2020

- reviewed and endorsed the ANZPAA National Strategy for Responding to Child Sexual Abuse
- united for a national month of action targeting high threat online child sex offenders in Australia which followed three days of intensive, specialist training involving investigators from across Australian law enforcement
- took every opportunity to ensure emphasis in all media releases and press conferences on safety and prevention messages
- consulted on potential legislative amendments which can drive national consistency
- improved dissemination of information and intelligence products to all members.

In 2020, Operation Griffin will address victim-based crime, investigating the exploitation and abuse of children nationally and internationally, working in partnership with the Australian Centre for Countering Child Exploitation, supported by several working groups with a focus on:

- enhancing national processes and systems for information sharing
- national training to assist in triage and investigation of child exploitation offences and victim interviewing
- enhancing victim identification processes
- national collaboration on prevention initiatives
- improved partnerships with relevant stakeholders.

**Identifying solutions** – to further support *Final Report* Recommendation 6.24, in August 2019, the Queensland Police Service hosted the seventh annual Youth, Technology and Virtual Communities

conference. This conference brings together national and international law enforcement, government, technology and community industry partners, including representatives from the eSafety Commission, to discuss and identify solutions to online child sexual abuse and exploitation.

### **Community awareness and engagement**

– the *Speak Up, Be Strong, Be Heard* project has demonstrated exceptional commitment to child protection in Far North Queensland since its implementation in June 2016. The project has been recognised nationally and won Silver in the police category of the Australian Crime and Violence Prevention Awards, was highly commended in the 2018 Queensland Premier’s Awards for Excellence – Customer Service, and also won Gold in the Performance category of the 2018 Queensland Police Commissioner’s Awards for Excellence.

The project is designed to develop an ethos of child protection through increasing community awareness of abuse, strengthening reporting obligations and improving overarching agency interventions to child protection matters in particular discrete Aboriginal communities in Cape York and Torres Strait Islander communities.

The project increases community awareness by incorporating delivery of tailored presentations with participation in community engagement activities and use of promotional materials. Community ownership of child protection is encouraged throughout the delivery of the project, through a whole-of-community approach.

The project is led by two Indigenous police officers, which has greatly enhanced engagement and delivery with Aboriginal and Torres Strait Islander peoples and communities, and also ensured the project was developed and implemented in a culturally appropriate manner.

The presentations are delivered in partnership with DCSYW to community members and representatives from government and non-government agencies. The project team has engaged with more than 10,000 community members to raise awareness and promote the key messages of the project since the initial project period. The project has built and strengthened relationships in a number of discrete Indigenous communities in the Cape York area.

### **Non-government sector**

The Queensland Government is continuing to develop a model to support the implementation of Child Safe Standards by the non-government sector. Queensland's model will be informed by the approaches and experiences of other jurisdictions.

## **Improving reporting and complaint handling**

**Volume 7** of the *Final Report* contains 12 recommendations relating to mandatory reporting, complaint handling and the need for independent oversight of reporting and complaint handling by institutions. The Queensland Government has accepted or accepted in-principle all Volume 7 recommendations.

### **Mandatory reporting**

The Queensland Government is committed to ensuring that institutional child sexual abuse is reported promptly to the most appropriate authority and that cultures of secrecy and cover-up within institutions are abolished.

Consideration of the Queensland Government responses to child protection mandatory reporting recommendations is being informed by related work underway, including the introduction of a criminal offence for failing to report child sexual abuse to police and development of a Queensland Reportable Conduct Scheme. These recommendations all share the core policy intent of ensuring child sexual abuse is reported to authorities. Progress on the introduction of a failure to report offence is further discussed in the *Criminal justice* report section on page 26.

The Queensland Government is also continuing to carefully consider the Royal Commission's mandatory reporting recommendations to ensure alignment with Queensland's existing mandatory reporting framework under the *Child Protection Act 1999*.

### **Reportable Conduct Scheme**

The Queensland Government has committed to introducing a nationally consistent Reportable Conduct Scheme, as recommended by the Royal Commission.

The Queensland Government is currently considering the results of consultation undertaken with representatives of jurisdictions which have existing reportable conduct scheme oversight bodies to understand key lessons and challenges. This work will assist to inform the development of a Queensland Reportable Conduct Scheme in the future.

## Improving recordkeeping and information sharing

**Volume 8** of the *Final Report* contains 23 recommendations relating to recordkeeping and information sharing between institutions in order to improve the identification, prevention and response to incidents and risks of child sexual abuse. The Queensland Government has accepted or accepted in-principle 19 recommendations, with four requiring further consideration.

**Volume 12** of the *Final Report* contains three recommendations relating to data collection and reporting. The Queensland Government has accepted in-principle all three recommendations.

In July 2019, the Queensland State Archives (QSA) developed a draft *guideline and draft disposal authorisations* and undertook consultation with all Queensland public authorities.

The guideline and disposal authorisations are expected to be finalised in 2020 and will apply to all public authorities.

QSA will undertake awareness raising activities throughout 2020 to help public authorities understand the new recordkeeping requirements.

The guideline provides advice about issues for public authorities to consider when making decisions about which public records to make and keep related to interactions with vulnerable persons. The disposal authorisations set the minimum period for which those public records need to be kept and meet the minimum requirements set by the Commission in recommendations 8.1 and 8.2.

Two rounds of consultation were held in 2019 including face to face meetings with key agencies, Skype meetings and the opportunity to provide written feedback. More than 400 formal responses were received from public authorities. It included consultation with the Independent Schools Queensland and the Queensland Catholic Education Commission.

Based on the feedback provided the updated draft guideline and disposal authorisations were broadened to include coverage for all vulnerable persons and all types of abuse (beyond sexual abuse). This was also in anticipation of any recommendations from the Royal Commission into Aged Care Quality and Safety (RCACQS) and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (RCVANEPD). At this stage, Queensland is the only State to extend its coverage in this way.

Specifically, QSA's draft guideline and disposal authorisations go beyond:

- children to cover all vulnerable persons including an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason
- sexual abuse to include multiple forms of abuse including, but not limited to, child sexual abuse, sexual abuse, physical abuse, psychological abuse perpetrated in connection with sexual abuse or serious physical abuse, emotional abuse, elder abuse, financial abuse.

In 2020, QSA will undertake awareness raising activities to help public authorities understand and implement the new recordkeeping requirements.

QSA continues to work with the National Archives of Australia and the Council of Australasian Archives and Records Authorities, as part of a working group, to develop a consistent approach to record retention and to provide guidance. In September 2019 the working group published advice about identifying and retaining records which may become relevant to an actual or alleged incident of child sexual abuse.

QSA will also use the guideline and disposal authorisations as a basis for its work with the Department of Education on recommendation 8.5. This recommendation relates to ensuring non-government schools operating in the state or territory are required to comply, at a minimum, with standards applicable to government schools in relation to the creation, maintenance and disposal of records relevant to child safety and wellbeing, including child sexual abuse.

QSA is also working with Queensland Government agencies to identify relevant agency records held at QSA that are needed to support applications made under the National Redress Scheme established in response to recommendations made by the Royal Commission.

**National consistency** – through the Children and Families Secretaries Group (CAFS), the Queensland Government continues its collaboration with other jurisdictions to develop a shared way forward on improving nationally consistent information sharing to better help keep children safe.

In response to Royal Commission recommendations regarding improvements to data collection and reporting about the extent of abuse in care as well as the quality and outcomes of institutional responses to disclosures of abuse, Queensland has continued to participate in national efforts to enhance the Child Protection National Minimum Data Set

(CP NMDS) and supply data for national reporting. The CP NMDS is used by the Australian Institute of Health and Welfare (AIHW) and Productivity Commission each year to publish national information on child protection.

Queensland participated in national discussions to reach agreement with other jurisdictions on a range of national definitions and technical specifications developed by the AIHW to enable future reporting about abuse in care.

Queensland contributed to the development of a National Data Improvement Plan that prioritises national data development work over the next five years.

**Strengthening home-based care** – on 5 August 2019, relevant provisions of the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019 (Amendment Act)* commenced. These provisions enable the creation of a register of home-based care services. Home-based care services include, among other things, foster and kinship care.

The register increases the visibility of these services, informs decision-making, and facilitates information sharing between relevant agencies including DCSYW, Queensland Police Service and the Office of the Public Guardian, to promote the safety of all children. The searching of the register is designed to be a prompt or trigger for regulatory bodies to make further enquiries with Blue Card Services or other relevant entities in relation to a particular person or residence where a home-based care service is being delivered.

## Enhancements to advocacy, support and therapeutic treatment services for people subject to abuse in institutional settings

**Volume 9** of the *Final Report* contains six recommendations about improving service systems for all victims and survivors of child sexual abuse. The Queensland Government has accepted in-principle all six recommendations and work is underway to implement responses.

**Volume 10** of the *Final Report* contains seven recommendations for improving responses to children with problematic or abusive sexual behaviours. The Queensland Government has accepted in-principle all recommendations, and work on implementing responses is underway.

In October 2019, the Queensland Government released *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence* (the Framework). The Framework sets out the Queensland Government's vision, priorities and objectives for addressing all forms of sexual violence, including child sexual abuse.

The Framework identifies three priority areas – prevention; support and healing; and justice and accountability – and outlines strategies to deliver on objectives of each priority area. Strategies include taking action to:

- challenge attitudes, practices and structures that lead to sexual violence and stop people speaking out
- strengthen the capacity of workplaces and institutions to prevent sexual violence
- increase the capacity and cultural capability of specialist and mainstream services to be trauma-informed and meet the diverse needs of people who have experienced sexual violence
- expand access to early intervention programs for children and young people displaying harmful sexual behaviours or who are at risk of experiencing sexual violence
- investigate and seek to address barriers to victims and survivors

reporting sexual violence and accessing justice responses

- continue to review and evaluate justice processes and relevant laws in Queensland to ensure that victims of sexual violence are supported and perpetrators are held accountable.

To support implementation of the Framework a comprehensive whole-of-government action plan to address sexual violence is planned for release in 2020.

DCSYW has invested \$10.8 million across 31 service outlets in 2019–20 for sexual assault services, an 80 per cent increase from \$6.07 million to 19 service outlets in 2014–15. The department has also invested \$3.7 million in 2019–20 in sexual abuse counselling services for children and young people in the child protection system.

To improve service responses, new and enhanced services under the youth sexual violence and abuse initiative have commenced in five priority locations (Rockhampton, Gladstone, Moreton Bay, Toowoomba and South Burnett).

These services include a specific focus on supporting children and young people who have experienced sexual violence and abuse, delivering specialist early intervention therapeutic services to children and young people with harmful sexual behaviours, and upskilling local

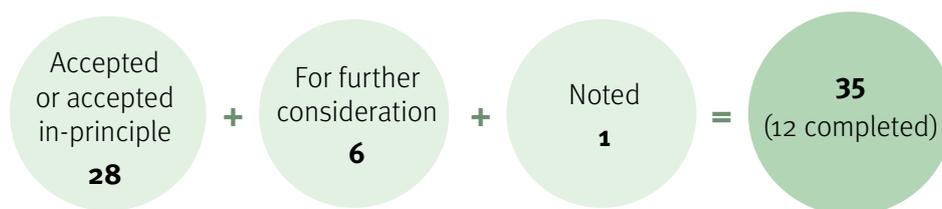
services to undertake this work. These initiatives are in addition to the provision of dedicated youth sexual violence and abuse responses in West Cairns and Aurukun.

Another key improved service response is the Department of Health's implementation of a new health service directive which requires Hospital and Health Services to take a consistent approach to responding to people who have experienced sexual assault and/or abuse, including children and young people. It provides an option for 'Just in Case' forensic examinations (without police involvement), and is supported by \$1.4 million for increased training and education for doctors and nurses.

To improve responses to children with harmful sexual behaviours, a dedicated national working group has been established to facilitate governments' joint efforts to progress the Volume 10 recommendations. Specifically, the working group is examining therapeutic responses to children with problematic and harmful sexual behaviours and representatives from both Queensland Health and DCSYW are participating in the working group.

# Working with Children Checks report (2015)

## *Working With Children Checks report recommendations*



The *Working with Children Checks* report (WWCC report) made 36 recommendations aimed at creating nationally consistent working with children checks systems and removing inconsistencies and gaps across jurisdictions. Of the 36 recommendations, 35 are directed to the Queensland Government, along with other jurisdictions.

The Queensland Government has accepted or accepted in-principle 28 recommendations. Six recommendations are categorised as requiring further consideration – some of these relate to issues which necessitate further interjurisdictional discussions. One recommendation has been noted, where Queensland’s approach exceeds that which is recommended by the Royal Commission.

Work on implementing 12 recommendations has been completed.

The Royal Commission’s WWCC report recommendations were considered by the QFCC as part of its review of the blue card system, *Keeping Queensland’s children more than safe: Review of the blue card system*. The QFCC made 81 recommendations, the intent of which have been accepted by the Queensland Government. Implementation of the recommendations will occur in a phased approach.

On 16 May 2019, the Queensland Parliament passed the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019* (WWC Amendment Act) which implements recommendations from both the QFCC and the Royal Commission.

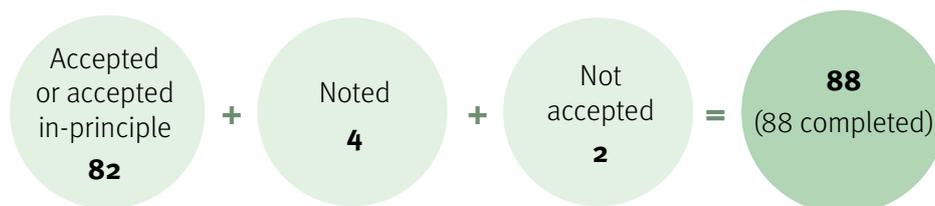
On 1 July 2019, parts of the WWC Amendment Act commenced which elevated 17 offences to the list of disqualifying offences under the *Working with Children (Risk Management and Screening) Act 2000*, including offences as recommended by the Royal Commission.

The remainder of the WWC Amendment Act is due to commence in 2020. In particular, this includes amendments which will give effect to the government’s No Card, No Start election commitment and further strengthen and modernise the blue card system. As part of the *Queensland Budget 2018–19*, the Queensland Government allocated \$17 million over three years to support the implementation of the No Card, No Start laws and modernise the blue card application process.

The Queensland Government has fully committed to the establishment of a national database to exchange information in relation to people who have been prohibited from working with children. The database will provide greater protections for children by enhancing the visibility of previously denied applications in other states and territories and lead to improved decision-making outcomes. Work is currently ongoing to prepare for and facilitate Queensland’s participation in the database.

# Redress and civil litigation report (2015)

## *Redress and civil litigation report recommendations*



The *Redress and civil litigation* report (RCL report) contained 99 recommendations aimed at establishing a National Redress Scheme and reform to civil litigation systems to make civil litigation a more effective means of providing justice for survivors. Of the 99 recommendations, 88 were directed to the Queensland Government, along with other jurisdictions.

Work on the 88 recommendations directed to the Queensland Government has been completed, with 82 having been accepted or accepted in-principle, four noted, and two not accepted.

### **National Redress Scheme**

The Queensland Government's participation in the National Redress Scheme commenced on 19 November 2018, allowing an estimated 5000 people who suffered sexual abuse as children in Queensland Government institutions to seek redress through the National Redress Scheme. The Queensland Government has committed \$500 million to support its participation in the National Redress Scheme.

As at 31 December 2019, more than 930 applications had been received which identify a Queensland Government institution as potentially responsible for the abuse. Nationally, as at 1 November 2019, the National Redress Scheme had made 708 payments, totalling more than \$56.9 million. The average redress payment was approximately \$80,000.

The Queensland Government is committed to continuing to work with federal, state and territory governments to ensure the National Redress Scheme policies reflect best practice.

Like all participating institutions, the Queensland Government is responsible for providing redress applicants with a Direct Personal Response when requested and is determined to get this important part of the redress process right. Training and support has been provided to senior executives from across Queensland Government agencies to provide people with a meaningful and trauma-informed Direct Personal Response.

The Queensland Government is also responsible for how people access the counselling and psychological care part of redress. Under arrangements implemented in 2019, people can now access more than 20 hours of counselling when they need extra support.

The Queensland Government recognises that to ensure maximum coverage for the scheme, it is important that as many relevant institutions as possible participate. There are expected to be around another 5000 applicants seeking redress from non-government institutions, in addition to the approximately

5000 people for whom the Queensland Government is responsible. To this end, the Queensland Government has partnered with the Local Government Association of Queensland, on behalf of Queensland councils, to enable councils to participate in the scheme as state institutions. This commenced from 27 September 2019.

As a matter of priority, the government continues to strongly encourage relevant non-government institutions to opt in to the National Redress Scheme to ensure as many eligible people as possible are able to apply for redress.

### Other civil litigation reforms

The Queensland Government is committed to ensuring that people who experienced institutional child sexual abuse are not re-traumatised as they seek the damages they rightfully deserve.

In October 2019, the *Civil Liability and Other Legislation Amendment Act 2019* (CLOLA Act) was passed by Parliament with the amendments commencing by proclamation on 2 March 2020. The CLOLA Act improves the capacity of the justice system to provide fair access and outcomes to people who wish to pursue a claim for civil damages for personal injury arising from that abuse experienced when the person was a child and ensures that people who experience child abuse will have better access to justice.

Significantly, the CLOLA Act amends the *Civil Liability Act 2003* to impose a new statutory duty on institutions to take all reasonable steps to prevent child sexual abuse and serious child physical abuse by a person associated with the institution while the child is under the care, supervision, control or authority of the institution.

The amendments also establish a statutory framework for the nomination of a proper defendant by unincorporated institutions to meet any liability incurred by the institution under a judgment in, or a settlement of, an abuse claim. This is intended to address the power imbalance between the abuse survivor and the institution.

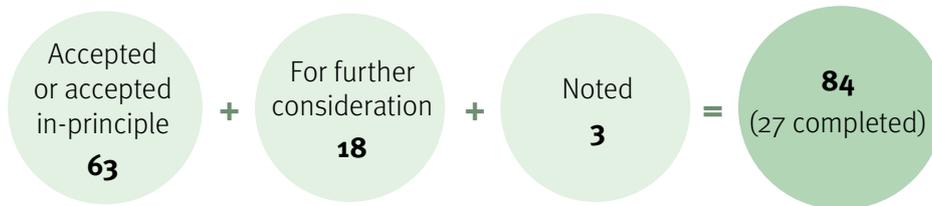
The CLOLA Act also amends the *Limitation of Actions Act 1974* and the *Personal Injuries Proceedings Act 2002* to retrospectively remove the limitation periods applying to actions for serious child physical abuse and psychological abuse perpetrated in connection with child sexual abuse or serious physical child abuse. The removal of the limitation periods and the application of the civil liability reforms to serious child physical abuse go beyond the Royal Commission recommendations.

These reforms follow earlier legislative amendments to retrospectively remove the limitation periods for commencing an action for damages relating to child sexual abuse (regardless of the setting) which commenced on 1 March 2017.

Recommendations 89 and 90 (for the imposition of a non-delegable duty on institutions operating particular types of facilities for child sexual abuse by persons associated with the institution) were not accepted on the basis that it would not be appropriate to adopt a strict liability approach where abuse occurs despite an institution having taken all reasonable steps to prevent such abuse.

# Criminal justice report (2017)

## Criminal justice report recommendations



The Royal Commission's *Criminal justice* report's 85 recommendations extend to all aspects of the criminal justice system's response to institutional child sexual abuse. Of the 85 recommendations, 84 were directed to the Queensland Government, along with other jurisdictions. A total of 63 recommendations have now been accepted or accepted in-principle, with 18 for further consideration, and three noted. Work on implementing 27 of the 84 recommendations directed to the Queensland Government has been completed.

A number of the recommendations are addressed in the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019* (the Bill) which was introduced in the Queensland Legislative Assembly on 27 November 2019.

Consultation on the Bill elicited over 50 submissions from various organisations, stakeholders and individuals. The amendments contained in the Bill relating to the *Criminal justice* report include:

- creating a new offence of failure to report to police belief of a child sexual offence which applies to all adults
- creating a new offence of failure to protect a child from sexual abuse in an institutional context
- an express provision to clarify that both the failure to report and failure to protect offences apply to any information or knowledge gained during, or in connection with, a religious confession
- providing for retrospective application of the offence of maintaining a sexual relationship with a child under 16
- extending the application of the offence of grooming a child under

16 to grooming behaviour directed towards a person who has care of a child

- providing for retrospective application of the abolition of limitation periods for certain child sexual offences
- modifying certain common law judicial directions and warnings to a jury
- excluding good character as a mitigating factor at sentence where it has assisted the offender in committing a child sexual offence
- ensuring offenders for child sexual offences are sentenced in accordance with sentencing standards at the time of sentence, rather than the offence
- establishing a framework for the use of intermediaries to provide communication support to certain witnesses, including children under 16 years, in child sexual offence prosecutions.

In addition to funding a pilot intermediary scheme, the Queensland Government has committed funding to support implementation of other *Criminal justice* report recommendations for improvement of prosecution and police responses to vulnerable people.

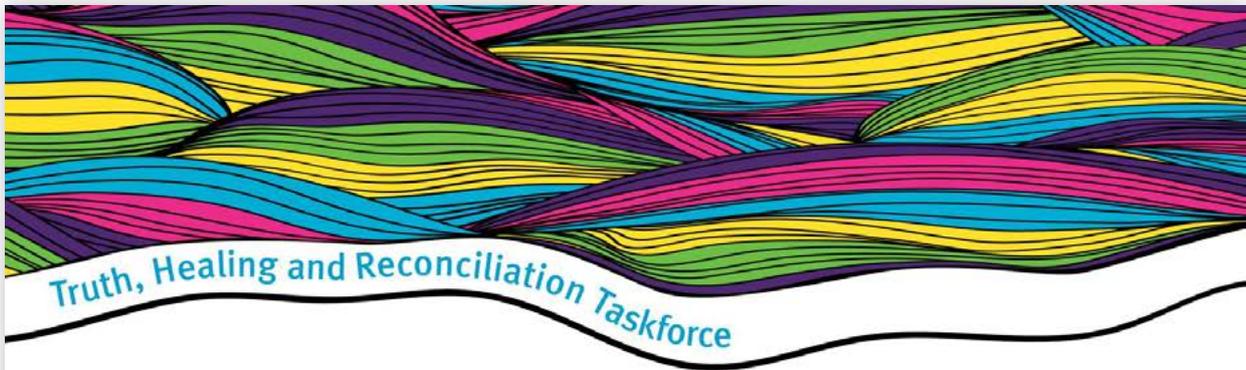
## Future progress

The Queensland Government will continue to work to implement responses to the Royal Commission's recommendations throughout 2020.

The Queensland Government will also continue to work with other jurisdictions on those recommendations which require national consistency or collaboration.

The protection of children is critical. The Queensland Government is committed to taking action to support the community to achieve the Royal Commission's vision—to entrench a culture of child safety across our entire community.

# Appendix 1



Your reference: SocPol/KJ – TF/20/11015 – DOC/20/120238

13 August 2020

The Honourable Anastacia Palaszczuk MP  
Premier and Minister for Trade  
PO Box 15185  
CITY EAST QLD 4002

Dear Premier

I would like to take this opportunity on behalf of the Truth, Healing and Reconciliation Taskforce (the Taskforce) to express our gratitude in receiving your recent correspondence.

Thank you for providing the Second Annual Progress Report on the implementation of the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) to the Taskforce for consideration and comment.

Taskforce members appreciated the confidential briefing on the report provided by officers from the Department of the Premier and Cabinet, the Department of Justice and Attorney-General and the Department of Child Safety, Youth and Women. We have carefully reviewed the report and I am pleased to advise you of our support for it.

On behalf of the Taskforce, I would like to thank the Queensland Government for the significant work being undertaken to consider and implement the recommendations of the Royal Commission.

The Taskforce looks forward to continuing to assist and support the Queensland Government in these reforms.

Yours sincerely

A handwritten signature in black ink, appearing to read "Bob Atkinson".

Mr Robert (Bob) Atkinson AO APM  
Chair  
Truth, Healing and Reconciliation Taskforce

Cc: The Honourable Di Farmer MP  
Minister for Child Safety, Youth and Women and  
Minister for the Prevention of Domestic and Family Violence

