

Inquest into the death of a 13 year old child referred to as 'P'

'P' was a 13 year old girl who, at the time of her death, was living at a residential care facility at Collingwood Park run by an organisation known as Safe Places for Children. P died when the motor vehicle she took to abscond from the residential care facility failed to negotiate a bend and spun out of control into bushland, crashing into trees.

The State Coroner delivered his finding of inquest on 9 October 2015.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The department named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The Department of Communities Child Safety and Disability Services work with licensed care services to implement policies and procedures, including the introduction of technology such as tracking and PIN immobilisers, to ensure that children in care with complex needs are not able to take control of vehicles.

Response and action: the recommendation is implemented.

Responsible agency: Department of Communities, Child Safety and Disability Services.

On 5 January 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The department is in agreement with the recommendation to work with licensed care services to implement policies and procedures to ensure that children in care with complex needs are not able to take control of vehicles. A feasibility assessment is being undertaken in relation to the specific suggestion regarding the 'introduction of technology such as tracking and PIN immobilisers' to fully assess the benefits and any regulatory and cost impacts. This will include engagement with the licensed care services which are funded to deliver care. In addition, Child Protection and Adoption Design and Commissioning (CPADC) is currently leading a project to develop and implement a Therapeutic Framework for Residential Care Services. Implementation of the framework will help to ensure residential care services attend to young people's fundamental need for safety. As part of the project, CPADC will be consider whether additional policies and procedures are required to ensure safety of young people. At present licensed care services must comply with the *Human services quality framework*. This includes having documented and implemented processes for ensuring safe environments, with due regard to legislative requirements as relevant to the types of services provided.

The feasibility assessment will be completed by June 2016.

PeakCare Queensland presented the department with a proposed therapeutic framework for residential care services in September 2015. CPADC is consulting with stakeholders to develop an implementation strategy. The framework will be fully implemented by December 2018.

On 29 June 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The feasibility assessment for the use of safety technology for vehicles used with licensed care services has commenced. In addition to assessing the use of PIN immobilizers and in response to other safety concerns, the Department of Communities, Child Safety and Disability Services is assessing a range of vehicle safety measures, and include:

- vehicle tracking systems, including some that can remotely lock doors or immobilise engines in case of emergency.
- keyless entry
- reversing cameras
- other minimum safety standards.

The feasibility assessment remains on track for completion in 2016.

On 23 December 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

In November 2016, the department approved the following actions:

1. Licensed non-family based (residential) care services to implement policies and procedures requiring PIN immobilizers to be installed in all vehicles owned or leased by licenced non-family based care services.
2. The Human Services Quality Framework (HSQF) user guide to be amended to demonstrate the above requirement.
3. The HSQF user guide to be amended to clearly require all licensed care services to lock car keys safely away when not in use.

The HSQF user guide has been amended and the department will support service providers to implement this requirement.

A feasibility study undertaken by the department in consultation with non-government partners found that additional safety measures that were previously being considered, such as keyless entry, are now usually standard features for new vehicles, and tracking technology is expensive and not required if prevention strategies (such as installation of PIN immobilizers) are implemented.

Recommendation 2

In implementing recommendation 8.7 of the Carmody Report, the extent to which licensed care services should engage the Queensland Police Service to respond to placement related behaviours be reviewed, and consideration be given to an audit tool to monitor this practice and outcomes for young people in care in terms of entry to the criminal justice system.

Response and action: the recommendation is implemented.

Responsible agency: Department of Communities, Child Safety and Disability Services.

On 5 January 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The department is currently in the final stages of developing critical incident reporting guidelines for child safety care services. These guidelines will provide advice to care services about what constitutes a critical incident and when to report to Child Safety and also when to involve the Queensland Police Service. Once these guidelines are endorsed and made available to service providers, compliance will be monitored through the Human Services Quality Framework certification and maintenance audits.

Feedback on draft critical incident reporting guidelines is currently being collated and considered. The guidelines will be finalised by March 2016.

On 29 June 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

PeakCare and Foster Care Queensland provided significant feedback on the draft *Incident reporting guidelines* for child safety care services.

Feedback from peak bodies is being incorporated into the draft. The revised draft will be provided to the broader stakeholder group for final feedback prior to publishing, with the guidelines remaining on track for finalisation in 2016.

On 23 December 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

To ensure the guidelines meet the needs of children and young people and are also consistent with requirements/strategic direction of other government agencies we have undertaken significant consultation on the incident management and reporting guidelines.

The department provided non-government out of home care (OOHC) service providers, Queensland Police, peak bodies, Youth Advocacy Centre and youth justice a copy of the draft new incident management and reporting guidelines for child safety care services to allow feedback to be provided. The guidelines clarify what constitutes an incident, how incidents should be managed, when to report to Child Safety and when to engage with emergency services.

Final feedback from service providers to be considered prior to formal release of new incident reporting and management guidelines.

The human services quality framework and licensing tools will be amended to monitor this practice and outcomes for young people in care in terms of entry to the criminal justice system.

On 13 July 2017 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The review process and consideration of an audit tool is complete and feedback on the incident management and reporting guidelines was received.

The completed guidelines will be available on the department's [Incident reporting guide](#)

Recommendation 3

The Department of Communities Child Safety and Disability Services review its positive behaviour support policy to ensure that it provides more guidance in relation to the circumstances in which reactive restraint can be used, and the types of restraint permitted. The policy should also highlight the significant risks, including asphyxiation, posed to the wellbeing of persons being restrained by inappropriate restraint techniques.

Response and action: the recommendation is implemented.

Responsible agency: Department of Communities, Child Safety and Disability Services.

On 5 January 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The positive behaviour support policy (604-3) will be jointly reviewed by the Child Protection and Adoption Design and Commissioning and Child and Family Practice and Service Improvement in conjunction with the Centre of Excellence for Clinical Innovation and Behaviour Support and updated to reflect the areas identified by the Office of the State Coroner as requiring strengthening and increased clarity for workers.

An initial meeting between the Child Protection and Adoption Design and Commissioning, Child and Family Practice and Service Improvement and the Centre for Excellence occurred on 28 October 2015. Staff with the relevant expertise from each of the areas were nominated to conduct the review which commenced in November 2015.

On 29 June 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The revised *Positive behaviour support policy* was drafted.

Child Protection and Adoption Design and Commissioning will continue to work with the Centre of Excellence for Clinical Innovation and Behaviour Support Disability Services, and Child and Family Practice and Service Improvement to refine the revised policy and draft a practice paper which supports the policy. Both documents and the communication and implementation strategy remain on track for completion in 2016.

On 23 December 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The *Positive behaviour support policy* was jointly reviewed by Child, Family and Community Services and the Centre of Excellence for Clinical Innovation and Behaviour Support Disability Services (COE) with a focus on de-escalation and planned responses. Feedback from peak bodies and other stakeholders resulted in the policy being separated into a policy and a separate practice guideline. The draft policy and practice guideline no longer includes information on reactive responses and restrictive practice as these would not be recommended positive behaviour support approaches.

The department is working with Foster Care Queensland, QATSICPP, PeakCare and CREATE to finalise the policy and practice guideline.

Additional work has commenced to provide accurate advice to departmental and non-government organisation staff in regard to the use of reactive responses and restrictive practice. This work includes assessing if any amendments are required to current legislation.

On 13 July 2017, the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:

The department completed the review of the policy and produced a separate practice guideline. The policy and guideline will be reviewed as per normal departmental review processes.