Inquest into the death of Lucas Tran

Lucas Tran was five months old when he died suddenly and unexpectedly on 18 November 2015 from sudden infant death syndrome. At the time of his death, Lucas was being cared for by a family day care educator.

Deputy State Coroner John Lock delivered his findings of inquest on 17 April 2019.

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 departments 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 Queensland Police Service and the Department of Education consider implementing a memorandum of understanding or some other protocol regarding the sharing of information that may be relevant to each of their separate investigatory responsibilities for incidents that arise within a child care environment.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Queensland Police Service (lead), supported by the Department of Education.

On 2 October 2019 the Minister for Police and Minister for Corrective Services, and the Minister for Education and Minister for Industrial Relations responded:

The Department of Education met with the Queensland Police Service to discuss current policies and legislation regarding the sharing of information between the two agencies.

The Department of Education and the Queensland Police Service will develop a process for the sharing of information and will liaise quarterly to review this process.

Further consultation with key Queensland Police Service stakeholders, including the Police Communications Centre, Operational Improvement Unit and Legal Division, is required.

**Recommendation 2**

The Ministerial Council and the Australian Children’s Education Quality Authority consider changes to the national law and the national regulations to require all family day care educators to hold a Certificate III in Children’s Services before they commence caring for children.

Response and action: the recommendation is agreed to. How the recommendation will be implemented is under consideration.

Responsible agency: Department of Education.

On 2 October 2019 the Minister for Education and Minister for Industrial Relations responded:

Education Council (a ministerial council on school education, early childhood and higher education) is undertaking a review of the national law and regulations governing early childhood education and care services. The review will consider whether to mandate family day care educators to hold a Certificate III in Children’s Services before they begin caring for children in a family day care service.
As part of the review, Education Council will release a consultation regulatory impact statement. Subject to Education Council approval, the statement will outline options regarding increasing the qualification requirements for family daycare educators and seek views on their impact on the early childhood education and care sector. Education Council will consider the feedback from the sector, families and communities and determine whether to implement regulatory or legislative changes.

**Recommendation 3**
The Ministerial Council and the Australian Children’s Education Quality Authority consider changes to the national law and the national regulations to require information about safe sleeping practices/SIDS and complaints mechanisms be given to parents of children who attend family day care.

Response and action: the recommendation is agreed to. How the recommendation will be implemented is under consideration.

Responsible agency: Department of Education.

On 2 October 2019 the Minister for Education and Minister for Industrial Relations responded:

Education Council (a ministerial council on school education, early childhood and higher education) is undertaking a review of the national law and regulations governing early childhood education and care services. The review will include consideration of the provision of information about safe sleeping practices/SIDS and complaints mechanisms to parents of children who attend family day care.

As part of the review, the Education Council will release a consultation regulatory impact statement. Subject to Education Council approval, the statement will outline options for requiring information about safe sleeping practices/SIDS and complaints mechanisms be given to parents of children who attend family day care and seek views on their impact on the early childhood education and care sector. Education Council will consider the feedback from the sector, families and communities and determine whether to implement regulatory or legislative changes.