

Queensland Government fifth annual progress report

Royal Commission into Institutional Responses to Child Sexual Abuse

December 2022

Recommendation-by-recommendation implementation
status

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Glossary

Key terms	Definition
AIHW	Australian Institute of Health and Welfare
DCSSDS	Department of Child Safety, Seniors and Disability Services
DoE	Department of Education
DJAG	Department of Justice and Attorney-General
OPG	Office of the Public Guardian
QH	Queensland Health
QPS	Queensland Police Service
QSA	Queensland State Archives

Final Report

Volume 2 – Nature and Cause

No.	Recommendation	Queensland Government position	Status	Implementation summary
2.1	The Australian Government should conduct and publish a nationally representative prevalence study on a regular basis to establish the extent of child maltreatment in institutional and non-institutional contexts in Australia.	Accept in principle	N/A	Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports .

Volume 6 – Making institutions Child Safe

No.	Recommendation	Queensland Government position	Status	Implementation summary
6.1	The Australian Government should establish a mechanism to oversee the development and implementation of a national strategy to prevent child sexual abuse. This work should be undertaken by the proposed National Office for Child Safety (see Recommendations 6.16 and 6.17) and be included in the National Framework for Child Safety (see Recommendation 6.15).	Accept	Complete	The <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030</i> was launched on 27 October 2021. The Australian Government and state and territory governments will deliver the National Strategy through a series of action plans. The First National Action Plan runs from 2021 to 2024.
6.2	The national strategy to prevent child sexual abuse should encompass the following complementary initiatives: <ol style="list-style-type: none"> a. social marketing campaigns to raise general community awareness and increase knowledge of child sexual abuse, to change problematic attitudes and behaviour relating to such abuse, and to promote and direct people to related prevention initiatives, information and help-seeking services. 	Accept in principle	Complete	The <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030</i> was launched on 27 October 2021. The Australian Government and state and territory governments will deliver the National Strategy through a series of action plans. The First National Action Plan runs from 2021 to 2024.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> <li data-bbox="248 331 1016 603">b. prevention education delivered through preschool, school and other community institutional settings that aims to increase children’s knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies. The education should be integrated into existing school curricula and link with related areas such as respectful relationships education and sexuality education. It should be mandatory for all preschools and schools. <li data-bbox="248 624 1016 799">c. prevention education for parents delivered through day care, preschool, school, sport and recreational settings, and other institutional and community settings. The education should aim to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risks of child sexual abuse. <li data-bbox="248 820 1016 1059">d. online safety education for children, delivered via schools. Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery (see Recommendation 6.19). <li data-bbox="248 1080 1016 1240">e. online safety education for parents and other community members to better support children’s safety online. Building on their current work, the Office of the eSafety Commissioner should oversee the delivery of this education nationally (see Recommendation 6.20). <li data-bbox="248 1260 1016 1372">f. prevention education for tertiary students studying university, technical and further education, and vocational education and training courses before entering child related occupations. This should aim to increase awareness and 			<p data-bbox="1408 331 2132 387">DoE worked with the National Office for Child Safety in the design of the National Strategy.</p> <p data-bbox="1408 408 2132 647">DoE has implemented the ‘Australian Curriculum: Health and Physical Education from Prep to Year 10’ and has strengthened all resources related to respectful relationships education, including with the release of the Respectful Relationships Education Program and the Respectful Relationships Education Hub. Health and Wellbeing Education, including respectful relationships education, is mandatory in all Queensland State Schools.</p> <p data-bbox="1408 668 2132 695">In relation to part (d), see below recommendation (6.19).</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>understanding of the prevention of child sexual abuse and potentially harmful sexual behaviours in children.</p> <p>g. information and help-seeking services to support people who are concerned they may be at risk of sexually abusing children. The design of these services should be informed by the Stop It Now! model implemented in Ireland and the United Kingdom.</p> <p>h. information and help seeking services for parents and other members of the community concerned that:</p> <p>i. an adult they know may be at risk of perpetrating child sexual abuse</p> <p>ii. a child or young person they know may be at risk of sexual abuse or harm</p> <p>iii. a child they know may be displaying harmful sexual behaviours.</p>			
6.3	<p>The design and implementation of these initiatives should consider:</p> <p>a. aligning with and linking to national strategies for preventing violence against adults and children, and strategies for addressing other forms of child maltreatment.</p> <p>b. tailoring and targeting initiatives to reach, engage and provide access to all communities, including children, Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, people with disability, and regional and remote communities.</p> <p>c. involving children and young people in the strategic development, design, implementation and evaluation of initiatives.</p> <p>d. using research and evaluation to:</p>	Accept in principle	Complete	<p>The <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030</i> was launched on 27 October 2021. The Australian Government and state and territory governments will deliver the National Strategy through a series of action plans. The First National Action Plan runs from 2021 to 2024.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> i. build the evidence base for using best practices to prevent child sexual abuse and harmful sexual behaviours in children. ii. guide the development and refinement of interventions, including the piloting and testing of initiatives before they are implemented. 			
6.4	<p>All institutions should uphold the rights of the child. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions should act with the best interests of the child as a primary consideration. In order to achieve this, institutions should implement the Child Safe Standards identified by the Royal Commission.</p>	Accept in principle	Complete	<p>In 2018, the Queensland Government accepted the child safe standards as informing best practice for departments that provide services to children. Since then, Queensland Government departments have continued to incorporate child safe standards (as provided in recommendation 6.5) into policy, procedure and practice.</p> <p>The Queensland Government is undertaking work to determine suitable options to support statewide implementation of child safe standards following targeted consultation in 2021.</p>
6.5	<p>The Child Safe Standards are:</p> <ol style="list-style-type: none"> 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 	Accept	Complete	See above recommendation (6.4).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> 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. 			
6.6	<p>Institutions should be guided by the following core components when implementing the Child Safe Standards:</p> <p>Standard 1: Child safety is embedded in institutional leadership, governance and culture</p> <ul style="list-style-type: none"> a. The institution publicly commits to child safety and leaders champion a child safe culture. b. Child safety is a shared responsibility at all levels of the institution. c. Risk management strategies focus on preventing, identifying and mitigating risks to children. d. Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children. e. Staff and volunteers understand their obligations on information sharing and recordkeeping. <p>Standard 2: Children participate in decisions affecting them and are taken seriously</p>	Accept	Complete	See above recommendation (6.4).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. Children are able to express their views and are provided opportunities to participate in decisions that affect their lives. b. The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated. c. Children can access sexual abuse prevention programs and information. d. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns. <p>Standard 3: Families and communities are informed and involved</p> <ul style="list-style-type: none"> a. Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child. b. The institution engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible. c. Families and communities have a say in the institution's policies and practices. d. Families and communities are informed about the institution's operations and governance. <p>Standard 4: Equity is upheld and diverse needs are taken into account</p> <ul style="list-style-type: none"> a. The institution actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities. 			

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>b. All children have access to information, support and complaints processes.</p> <p>c. The institution pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.</p> <p>Standard 5: People working with children are suitable and supported</p> <p>a. Recruitment, including advertising and screening, emphasises child safety.</p> <p>b. Relevant staff and volunteers have Working With Children Checks.</p> <p>c. All staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.</p> <p>d. Supervision and people management have a child safety focus.</p> <p>Standard 6: Processes to respond to complaints of child sexual abuse are child focused</p> <p>a. The institution has a child-focused complaint handling system that is understood by children, staff, volunteers and families.</p> <p>b. The institution has an effective complaint handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.</p> <p>c. Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.</p>			

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training</p> <ul style="list-style-type: none"> a. Relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse. b. Staff and volunteers receive training on the institution's child safe practices and child protection. c. Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures. <p>Standard 8: Physical and online environments minimise the opportunity for abuse to occur</p> <ul style="list-style-type: none"> a. Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development. b. The online environment is used in accordance with the institution's code of conduct and relevant policies. <p>Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved</p> <ul style="list-style-type: none"> a. The institution regularly reviews and improves child safe practices. b. The institution analyses complaints to identify causes and systemic failures to inform continuous improvement. <p>Standard 10: Policies and procedures document how the institution is child safe</p> <ul style="list-style-type: none"> a. Policies and procedures address all Child Safe Standards. 			

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. Policies and procedures are accessible and easy to understand. c. Best practice models and stakeholder consultation inform the development of policies and procedures. d. Leaders champion and model compliance with policies and procedures. e. Staff understand and implement the policies and procedures. 			
6.7	The national Child Safe Standards developed by the Royal Commission and listed at Recommendation 6.5 should be adopted as part of the new National Statement of Principles for Child Safe Organisations described by the Community Services Ministers' Meeting in November 2016. The National Statement of Principles for Child Safe Organisations should be endorsed by the Council of Australian Governments.	Accept	Complete	The National Principles for Child Safe Organisations, incorporating the child safe standards, were endorsed by the former Council of Australian Governments (COAG) on 19 February 2019.
6.8	State and territory governments should require all institutions in their jurisdictions that engage in child-related work to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.	Accept in principle	Ongoing	<p>DCSSDS continued work to identify options for potential regulation and oversight of child safe standards across Queensland.</p> <p>Informed by the results of targeted consultation undertaken in 2021, a range of options to support statewide implementation of child safe standards have been developed</p> <p>The Queensland Government will these options to determine the best way forward for Queensland.</p>
6.9	<p>Legislative requirements to comply with the Child Safe Standards should cover institutions that provide:</p> <ul style="list-style-type: none"> a. accommodation and residential services for children, including overnight excursions or stays 	Accept in principle	Ongoing	See above recommendation (6.8).

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	<ul style="list-style-type: none"> b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children c. childcare or childminding services d. child protection services, including out-of-home care e. activities or services where clubs and associations have a significant membership of, or involvement by, children f. coaching or tuition services for children g. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions h. services for children with disability i. education services for children j. health services for children k. justice and detention services for children, including immigration detention facilities l. transport services for children, including school crossing services. 			
6.10	<p>State and territory governments should ensure that:</p> <ul style="list-style-type: none"> a. an independent oversight body in each state and territory is responsible for monitoring and enforcing the Child Safe Standards. Where appropriate, this should be an existing body. b. the independent oversight body is able to delegate responsibility for monitoring and enforcing the Child Safe Standards to another state or territory government body, such as a sector regulator. 	Accept in principle	Ongoing	See above recommendation (6.8).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. regulators take a responsive and risk-based approach when monitoring compliance with the Child Safe Standards and, where possible, utilise existing regulatory frameworks to monitor and enforce the Child Safe Standards. 			
6.11	<p>Each independent state and territory oversight body should have the following additional functions:</p> <ul style="list-style-type: none"> a. coordinate ongoing information exchange between oversight bodies relating to institutions' compliance with the Child Safe Standards. b. provide advice and information on the Child Safe Standards to institutions and the community. c. collect, analyse and publish data on the child safe approach in that jurisdiction and provide that data to the proposed National Office for Child Safety. d. partner with peak bodies, professional standards bodies and/or sector leaders to work with institutions to enhance the safety of children. e. provide, promote or support education and training on the Child Safe Standards to build the capacity of institutions to be child safe. 	Accept in principle	Ongoing	See above recommendation (6.8).
6.12	<p>With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:</p> <ul style="list-style-type: none"> a. developing child safe messages in local government venues, grounds and facilities. b. assisting local institutions to access online child safe resources. 	Accept in principle	Ongoing	See above recommendation (6.8).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. providing child safety information and support to local institutions on a needs basis. d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds. 			
6.13	The Australian Government should require all institutions that engage in child-related work for the Australian Government, including Commonwealth agencies, to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5.	Accept in principle	N/A	Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports .
6.14	<p>The Australian Government should be responsible for the following functions:</p> <ul style="list-style-type: none"> a. evaluate, publicly report on, and drive the continuous improvement of the implementation of the Child Safe Standards and their outcomes. b. coordinate the direct input of children and young people into the evaluation and continuous improvement of the Child Safe Standards. c. capacity building and support initiatives and opportunities for collaboration between jurisdictions and institutions, develop and promote national strategies to raise awareness and drive cultural change in institutions and the community to support child safety. 	Accept in principle	N/A	See above recommendation (6.13).
6.15	The Australian Government should develop a new National Framework for Child Safety in collaboration with state and territory governments. The Framework should:	Accept in principle	Complete	<i>Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031</i> was launched on 8 December 2021, following endorsement from the Australian

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. commit governments to improving the safety of all children by implementing long-term child safety initiatives, with appropriate resources, and holding them to account. b. be endorsed by the Council of Australian Governments and overseen by a joint ministerial body. c. commence after the expiration of the current National Framework for Protecting Australia's Children, no later than 2020. d. cover broader child safety issues, as well as specific initiatives to better prevent and respond to institutional child sexual abuse including initiatives recommended by the Royal Commission. e. include links to other related policy frameworks. 			<p>Government and all state and territory governments, and the Aboriginal and Torres Strait Islander Leadership Group.</p> <p>Ongoing implementation will be overseen by Community Services Ministers and the Aboriginal and Torres Strait Islander Leadership Group.</p>
6.16	<p>The Australian Government should establish a National Office for Child Safety in the Department of the Prime Minister and Cabinet, to provide a response to the implementation of the Child Safe Standards nationally, and to develop and lead the proposed National Framework for Child Safety. The Australian Government should transition the National Office for Child Safety into an Australian Government statutory body within 18 months of this Royal Commission's Final Report being tabled in the Australian Parliament.</p>	Accept in principle	N/A	See above recommendation (6.13).
6.17	<p>The National Office for Child Safety should report to Parliament and have the following functions:</p> <ul style="list-style-type: none"> a. develop and lead the coordination of the proposed National Framework for Child Safety, including national coordination of the Child Safe Standards. b. collaborate with state and territory governments to lead capacity building and continuous improvement of child safe 	Accept in principle	N/A	See above recommendation (6.13).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>initiatives through resource development, best practice material and evaluation.</p> <p>c. promote the participation and empowerment of children and young people in the National Framework and child safe initiatives.</p> <p>d. perform the Australian Government’s Child Safe Standards functions as set out at Recommendation 6.15.</p> <p>e. lead the community prevention initiatives as set out in Recommendation 6.2.</p>			
6.18	The Australian Government should create a ministerial portfolio with responsibility for children’s policy issues, including the National Framework for Child Safety.	Accept in principle	N/A	See above recommendation (6.13).
6.19	<p>Ministers for education, through the Council of Australian Governments, should establish a nationally consistent curriculum for online safety education in schools. The Office of the eSafety Commissioner should be consulted on the design of the curriculum and contribute to the development of course content and approaches to delivery. The curriculum should:</p> <p>a. be appropriately staged from Foundation year to Year 12 and be linked with related content areas to build behavioural skills as well as technical knowledge to support a positive and safe online culture.</p> <p>b. involve children and young people in the design, delivery and piloting of new online safety education, and update content annually to reflect evolving technologies, online behaviours and evidence of international best practice approaches.</p> <p>c. be tailored and delivered in ways that allow all Australian children and young people to reach, access and engage</p>	Accept in principle	Complete	<p>DoE contributed advice to the Australian Curriculum, Assessment and Reporting Authority’s review of the Australian Curriculum and all Queensland schools are now supported to implement the nationally consistent curriculum (Prep – Year 10) and Queensland senior curriculum for online safety education in schools.</p> <p>DoE developed an online resource for upper primary students (Years 4 – 6) promoting online safety which was delivered in February 2020. A further online safety resource was created for upper secondary students (Years 10 – 12) in December 2020. A revised version of the lower secondary students (Years 7 – 9) course was released, along with a secondary student online safety resource hub, in January 2022.</p> <p>DoE is developing resources and professional learning to prepare Queensland teachers to implement the revised Australian Curriculum from 2024, including the new aspects of digital literacy – <i>Practicing digital safety and wellbeing</i>.</p>

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	with online safety education, including vulnerable groups that may not access or engage with the school system.			
6.20	<p>Building on its current work, the Office of the eSafety Commissioner should oversee the delivery of national online safety education aimed at parents and other community members to better support children’s safety online. These communications should aim to:</p> <ul style="list-style-type: none"> a. keep the community up to date on emerging risks and opportunities for safeguarding children online. b. build community understanding of responsibilities, legalities and the ethics of children’s interactions online. c. encourage proactive responses from the community to make it ‘everybody’s business’ to intervene early, provide support or report issues when concerns for children’s safety online are raised. d. increase public awareness of how to access advice and support when online incidents occur. 	Accept in principle	N/A	See above recommendation (6.13).
6.21	<p>Pre-service education and in-service staff training should be provided to support child-related institutions in creating safe online environments. The Office of the eSafety Commissioner should advise on and contribute to program design and content. These programs should be aimed at:</p> <ul style="list-style-type: none"> a. tertiary students studying university, technical and further education, and vocational education and training courses, before entering child-related occupations; and could be provided as a component of a broader program of child sexual abuse prevention education (see Recommendation 6.2). b. staff and volunteers in schools and other child-related organisations, and could build on the existing web-based 	Accept in principle	Ongoing	<p>Office of the eSafety Commissioner professional development resources for educators are promoted in DoE newsletters and in online Student Protection Training which must be completed annually.</p> <p><i>DoE’s Key Message Guide for volunteers, contractors and visitors</i> also includes links to online safety programs.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	learning programs of the Office of the eSafety Commissioner.			
6.22	<p>In partnership with the proposed National Office of Child Safety (see Recommendations 6.16 and 6.17), the Office of the eSafety Commissioner should oversee the development of an online safety framework and resources to support all schools in creating child safe online environments. This work should build on existing school-based e-safety frameworks and guidelines, drawing on Australian and international models. The school-based online safety framework and resources should be designed to:</p> <ul style="list-style-type: none"> a. support schools in developing, implementing and reviewing their online codes of conduct, policies and procedures to help create an online culture that is safe for children. b. guide schools in their response to specific online incidents, in coordination with other agencies. This should include guidance in complaint handling, understanding reporting requirements, supporting victims to minimise further harm, and preserving digital evidence to support criminal justice processes. 	Accept in principle	Complete	DoE adopted the online safety framework developed by the eSafety Commissioner. DoE has made resources available to support all Queensland schools to develop, implement and review their online codes of conduct, policies and procedures to create an online culture that is safe for children and guide schools in their responses to specific online incidents.
6.23	<p>State and territory education departments should consider introducing centralised mechanisms to support government and non-government schools when online incidents occur. This should result in appropriate levels of escalation and effective engagement with all relevant entities, such as the Office of the eSafety Commissioner, technical service providers and law enforcement. Consideration should be given to:</p> <ul style="list-style-type: none"> a. adopting the promising model of the Queensland Department of Education and Training's Cyber Safety and Reputation Management Unit, which provides advice and a centralised coordination function for schools, working in 	Accept in principle	Complete	<p>DoE has documented, published and distributed Queensland's Cyber Safety and Reputation Management model to other Australian jurisdictions and the Queensland non-state sector.</p> <p>DoE established a cross-sectoral-stakeholder cyber safety reference group, which includes the Queensland Government and non-government schooling sectors, for the purpose of sharing issues, responses and solutions to inappropriate online behaviours that impact school communities.</p>

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	<p>partnership with relevant entities to remove offensive online content and address other issues.</p> <p>b. strengthening or re-establishing multi-stakeholder forums and case-management for effective joint responses involving all relevant agencies, such as police, education, health and child protection.</p>			
6.24	<p>In consultation with the eSafety Commissioner, police commissioners from states and territories and the Australian Federal Police should continue to ensure national capability for coordinated, best practice responses by law enforcement agencies to online child sexual abuse. This could include through:</p> <p>a. meetings of the heads of cyber safety units in all Australian police departments to ensure a consistent capacity to respond to emerging incidents and share best practice approaches, tools and resources.</p> <p>b. convening regular forums and conferences to bring together law enforcement, government, the technology industry, the community sector and other relevant stakeholders to discuss emerging issues, set agendas and identify solutions to online child sexual abuse and exploitation.</p> <p>c. building capability across police departments, through in-service training for:</p> <p>i. frontline police officers to respond to public complaints relating to issues of online child sexual abuse or harmful sexual behaviours.</p> <p>ii. police officers who liaise with young people in school and community settings.</p>	Accept	Complete	<p>QPS is a member of Operation Griffin, previously known as the National Child Protection Working Group. Operation Griffin brings together Australian and New Zealand heads of law enforcement and child abuse investigation units to foster collaborative partnerships and enhance national capability for responding to child sexual abuse.</p> <p>Operation Griffin is supported by several working groups, including the National Child Protection Registry Advisory Group and the Covert Online Investigators Working Group, both of which QPS currently chairs.</p> <p>QPS also continues to host an annual Youth, Technology and Virtual Communities conference, which brings together national and international law enforcement, government, technology and community industry partners to discuss and identify solutions to online child sexual abuse and exploitation.</p>

Volume 7 – Improving institutional reporting and responding

No.	Recommendation	Queensland Government position	Status	Implementation summary
7.1	State and territory governments that do not have a mandatory reporter guide should introduce one and require its use by mandatory reporters.	Accept in principle	Complete	The Queensland Child Protection Guide is a web-based tool that assists professionals, including mandatory reporters, report their concerns to Child Safety and/or police or refer a family to another appropriate service.
7.2	Institutions and state and territory governments should provide mandatory reporters with access to experts who can provide timely advice on child sexual abuse reporting obligations.	Accept	Complete	Professionals in Queensland, including mandatory reporters, have access to experts who can provide advice on their mandatory reporting obligations. This includes: child protection officers within Child Safety; Principal Child Protection Practitioners within non-government Family and Child Connect services; as well as child protection advisors in DoE, QH and QPS.
7.3	State and territory governments should amend laws concerning mandatory reporting to child protection authorities to achieve national consistency in reporter groups. At a minimum, state and territory governments should also include the following groups of individuals as mandatory reporters in every jurisdiction: <ul style="list-style-type: none"> a. out-of-home care workers (excluding foster and kinship/relative carers). b. youth justice workers. c. early childhood workers. d. registered psychologists and school counsellors. e. people in religious ministry. 	Accept in principle	Complete	Queensland already requires the majority of these professions to report child protection concerns under the <i>Child Protection Act 1999</i> (Qld). Other professionals including youth justice workers, registered psychologists and school counsellors have policy and practice obligations to report child sexual abuse. In July 2021, it became an offence in Queensland for any adult not to report to police, sexual offending against a child by another adult. This means that all adults in the community (including all professionals identified by the Royal Commission) are required to report any child sexual abuse to police unless the person has a reasonable excuse for not reporting.
7.4	Laws concerning mandatory reporting to child protection authorities should not exempt persons in religious ministry from being required to report knowledge or suspicions formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.	Accept in principle	Complete	See above recommendation (7.3).

No.	Recommendation	Queensland Government position	Status	Implementation summary
7.5	<p>The Australian Government and state and territory governments should ensure that legislation provides comprehensive protection for individuals who make reports in good faith about child sexual abuse in institutional contexts. Such individuals should be protected from civil and criminal liability and from reprisals or other detrimental action as a result of making a complaint or report, including in relation to:</p> <ul style="list-style-type: none"> a. mandatory and voluntary reports to child protection authorities under child protection legislation. b. notifications concerning child abuse under the Health Practitioner Regulation National Law. 	Accept in principle	Ongoing	<p>Protections from civil and criminal and professional liability for people that report child protection concerns are currently provided for as reporters under the <i>Child Protection Act 1999</i> (Qld). Similarly, the <i>Criminal Code Act 1899</i> provides protections from civil and criminal liability for those reporting a belief of child sexual abuse in good faith. Neither Act contains protections from reprisal or detrimental action towards reporters.</p> <p>DCSSDS and DJAG continue to collaborate on the implementation of child safe standards (led by DCSSDS) and the development of a Queensland reportable conduct scheme (led by DJAG). While protections from reprisal for reporters are limited in Queensland, this issue is being considered for existing reporting regimes and as part of this ongoing work.</p> <p>Amendments to the Health Practitioner Regulation National Law (National Law) or respective jurisdictional health complaints legislation to implement part (b) of the recommendation are being discussed nationally.</p> <p>Protection against reprisals for people who report harm relating to health practitioners has been addressed in Queensland through modifications to the National Law to incorporate provisions of the <i>Health Ombudsman Act 2013</i> (Qld).</p>
7.6	<p>State and territory governments should amend child protection legislation to provide adequate protection for individuals who make complaints or reports in good faith to any institution engaging in child-related work about:</p> <ul style="list-style-type: none"> a. child sexual abuse within that institution or b. the response of that institution to child sexual abuse. <p>Such individuals should be protected from civil and criminal</p>	Accept in principle	Ongoing	See above recommendation (7.5).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	liability and from reprisals or other detrimental action as a result of making a complaint or report.			
7.7	<p>Consistent with the Child Safety Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover:</p> <ul style="list-style-type: none"> a. making a complaint. b. responding to a complaint. c. investigating a complaint. d. providing support and assistance. e. achieving systemic improvements following a complaint. 	Accept in principle	Ongoing	See above recommendation (6.4).
7.8	<p>Consistent with Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture, institutions should have a clear code of conduct that:</p> <ul style="list-style-type: none"> a. outlines behaviours towards children that the institution considers unacceptable, including concerning conduct, misconduct or criminal conduct. b. includes a specific requirement to report any concerns, breaches or suspected breaches of the code to a person responsible for handling complaints in the institution or to an external authority when required by law and/or the institution's complaint handling policy. c. outlines the protections available to individuals who make complaints or reports in good faith to any institution engaging in child-related work (see Recommendation 7.6 on reporter protections). 	Accept in principle	Ongoing	See above recommendation (6.4).

No.	Recommendation	Queensland Government position	Status	Implementation summary
7.9	State and territory governments should establish nationally consistent legislative schemes (reportable conduct schemes), based on the approach adopted in New South Wales, which oblige heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees.	Accept in principle	Ongoing	<p>DCSSDS and DJAG continued work to identify options for:</p> <ul style="list-style-type: none"> • potential regulation and oversight of child safe standards across Queensland; and • the establishment of a Queensland reportable conduct scheme. <p>Informed by the results of targeted consultation and an independent actuarial analysis, options for the development of a reportable conduct scheme model were developed.</p> <p>The Queensland Government will consider these options to determine the best way forward for Queensland.</p>
7.10	<p>Reportable conduct schemes should provide for:</p> <ol style="list-style-type: none"> a. an independent oversight body. b. obligatory reporting by heads of institutions. c. a definition of reportable conduct that covers any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child. d. a definition of reportable conduct that includes the historical conduct of a current employee. e. a definition of employee that covers paid employees, volunteers and contractors. f. protection for persons who make reports in good faith. g. oversight body powers and functions that include: <ol style="list-style-type: none"> i. scrutinising institutional systems for preventing reportable conduct and for handling and responding to reportable allegations, or reportable convictions ii. monitoring the progress of investigations and the handling of complaints by institutions 	Accept in principle	Ongoing	See above recommendation (7.9).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> iii. conducting, on its own motion, investigations concerning any reportable conduct of which it has been notified or otherwise becomes aware iv. power to exempt any class or kind of conduct from being reportable conduct v. capacity building and practice development, through the provision of training, education and guidance to institutions vi. public reporting, including annual reporting on the operation of the scheme and trends in reports and investigations, and the power to make special reports to parliaments. 			
7.11	State and territory governments should periodically review the operation of reportable conduct schemes, and in that review determine whether the schemes should cover additional institutions that exercise a high degree of responsibility for children and involve a heightened risk of child sexual abuse.	Accept in principle	Ongoing	See above recommendation (7.9).
7.12	<p>Reportable conduct schemes should cover institutions that:</p> <ul style="list-style-type: none"> • exercise a high degree of responsibility for children • engage in activities that involve a heightened risk of child sexual abuse, due to institutional characteristics, the nature of the activities involving children, or the additional vulnerability of the children the institution engages with. <p>At a minimum, these should include institutions that provide:</p> <ul style="list-style-type: none"> a. accommodation and residential services for children, including: <ul style="list-style-type: none"> i. housing or homelessness services that provide overnight beds for children and young people 	Accept in principle	Ongoing	See above recommendation (7.9).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> ii. providers of overnight camps. b. activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children c. childcare services, including: <ul style="list-style-type: none"> i. approved education and care services under the Education and Care Services National Law ii. approved occasional care services d. child protection services and out-of-home care, including: <ul style="list-style-type: none"> i. child protection authorities and agencies ii. providers of foster care, kinship or relative care iii. providers of family group homes iv. providers of residential care e. disability services and supports for children with disability, including: <ul style="list-style-type: none"> i. disability service providers under state and territory legislation ii. registered providers of supports under the National Disability Insurance Scheme f. education services for children, including: <ul style="list-style-type: none"> i. government and non-government schools ii. TAFEs and other institutions registered to provide senior secondary education or training, courses for overseas students or student exchange programs g. health services for children, including: 			

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> i. government health departments and agencies, and statutory corporations ii. public and private hospitals iii. providers of mental health and drug or alcohol treatment services that have inpatient beds for children and young people. h. justice and detention services for children, including: <ul style="list-style-type: none"> i. youth detention centres ii. immigration detention facilities. 			

Volume 8 – Recordkeeping and information sharing

No	Recommendation	Queensland Government position	Status	Implementation summary
8.1	To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.	Accept	Complete	QSA released its <i>Guideline on Creating and Keeping Records for the Proactive Protection of Vulnerable Persons</i> (the Guideline) on 20 March 2020. The Guideline helps government bodies in Queensland such as departments, local governments and universities to identify, keep and manage records about their interactions with vulnerable people. The records are kept for agreed time periods in case they are needed to prove an incident or allegation of abuse of a vulnerable person. The Guideline applies to paid staff, volunteers, visitors, contractors and outsourcing arrangements.
8.2	The National Archives of Australia and state and territory public records authorities should ensure that records disposal schedules require that records relating to child sexual abuse that has occurred or is alleged to have occurred be retained for at least 45 years.	Accept in principle	Complete	See above recommendation (8.1).
8.3	The National Archives of Australia and state and territory public records authorities should provide guidance to government and non-government institutions on identifying records which, it is reasonable to expect, may become relevant to an actual or alleged incident of child sexual abuse; and on the retention and disposal of such records.	Accept in principle	Complete	See above recommendation (8.1).
8.4	All institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution. Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture. Institutions that care for or provide services to children must keep	Accept in principle	Complete	See above recommendation (8.1).

No	Recommendation	Queensland Government position	Status	Implementation summary
	<p>the best interests of the child uppermost in all aspects of their conduct, including recordkeeping. It is in the best interest of children that institutions foster a culture in which the creation and management of accurate records are integral parts of the institution's operations and governance.</p> <p>Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse. Institutions should ensure that records are created to document any identified incidents of grooming, inappropriate behaviour (including breaches of institutional codes of conduct) or child sexual abuse and all responses to such incidents. Records created by institutions should be clear, objective and thorough. They should be created at, or as close as possible to, the time the incidents occurred, and clearly show the author (whether individual or institutional) and the date created.</p> <p>Principle 3: Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately. Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained in an indexed, logical and secure manner. Associated records should be collocated or cross-referenced to ensure that people using those records are aware of all relevant information.</p> <p>Principle 4: Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy. Records relevant to child safety and wellbeing, including child sexual abuse, must only be destroyed in accordance with records disposal schedules or published institutional policies. Records relevant to child sexual abuse should be subject to minimum retention periods that allow for delayed disclosure of abuse by</p>			

No	Recommendation	Queensland Government position	Status	Implementation summary
	<p>victims, and take account of limitation periods for civil actions for child sexual abuse.</p> <p>Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.</p> <p>Individuals whose childhoods are documented in institutional records should have a right to access records made about them. Full access should be given unless contrary to law. Specific, not generic, explanations should be provided in any case where a record, or part of a record, is withheld or redacted. Individuals should be made aware of, and assisted to assert, their existing rights to request that records containing their personal information be amended or annotated, and to seek review or appeal of decisions refusing access, amendment or annotation.</p>			
8.5	<p>State and territory governments should ensure that 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.</p>	<p>Accept in principle</p>	<p>Ongoing</p>	<p>QSA, in consultation with DoE, has updated QSA's dedicated <i>Vulnerable Persons</i> webpage to assist non-state schools to meet the same standards applicable to government schools in relation to records relevant to child safety and wellbeing, including child sexual abuse. The Vulnerable Person's webpage hosts a range of best practice record keeping resources. The update to QSA's Vulnerable Persons webpage went live on 21 November 2022.</p> <p>QSA is working with DoE to review the Education and Training Sector retention and disposal schedule. The purpose of the review is to include additional disposal authorisations relating to vulnerable persons into the schedule, with the review expected to be completed by April 2023. The Education and Training Sector retention and disposal schedule applies to early childhood education and care, schools (including primary and secondary state schools, grammar schools and other schools established under an Act), TAFE Queensland and other Registered</p>

No	Recommendation	Queensland Government position	Status	Implementation summary
				Training Organisations established under an Act and the non-State Schools Accreditation Board.
8.6	The Australian Government and state and territory governments should make nationally consistent legislative and administrative arrangements, in each jurisdiction, for a specified range of bodies (prescribed bodies) to share information related to the safety and wellbeing of children, including information relevant to child sexual abuse in institutional contexts (relevant information). These arrangements should be made to establish an information exchange scheme to operate in and across Australian jurisdictions.	Accept in principle	Ongoing	This recommendation is being implemented in partnership with the Australian Government and other state and territory governments through the National Strategy's Information Sharing Working Group, which was established in 2022.
8.7	<p>In establishing the information exchange scheme, the Australian Government and state and territory governments should develop a minimum of nationally consistent provisions to:</p> <ol style="list-style-type: none"> a. enable direct exchange of relevant information between a range of prescribed bodies, including service providers, government and non-government agencies, law enforcement agencies, and regulatory and oversight bodies, which have responsibilities related to children's safety and wellbeing. b. permit prescribed bodies to provide relevant information to other prescribed bodies without a request, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts. c. require prescribed bodies to share relevant information on request from other prescribed bodies, for purposes related to preventing, identifying and responding to child sexual abuse in institutional contexts, subject to limited exceptions. d. explicitly prioritise children's safety and wellbeing and override laws that might otherwise prohibit or restrict disclosure of information to prevent, identify and respond to child sexual abuse in institutional contexts. 	Accept in principle	Ongoing	See above recommendation (8.6).

No	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> e. provide safeguards and other measures for oversight and accountability to prevent unauthorised sharing and improper use of information obtained under the information exchange scheme. f. require prescribed bodies to provide adversely affected persons with an opportunity to respond to untested or unsubstantiated allegations, where such information is received under the information exchange scheme, prior to taking adverse action against such persons, except where to do so could place another person at risk of harm. 			
8.8	<p>The Australian Government, state and territory governments and prescribed bodies should work together to ensure that the implementation of our recommended information exchange scheme is supported with education, training and guidelines. Education, training and guidelines should promote understanding of, and confidence in, appropriate information sharing to better prevent, identify and respond to child sexual abuse in institutional contexts, including by addressing:</p> <ul style="list-style-type: none"> a. impediments to information sharing due to limited understanding of applicable laws b. unauthorised sharing and improper use of information. 	Accept in principle.	Ongoing	See above recommendation (8.6).
8.9	<p>The Council of Australian Governments (COAG) Education Council should consider the need for nationally consistent state and territory legislative requirements about the types of information recorded on teacher registers. Types of information that the council should consider, with respect to a person's registration and employment as a teacher, include:</p> <ul style="list-style-type: none"> a. the person's former names and aliases b. the details of former and current employers 	Accept in principle	Ongoing	<p>DoE has collaborated with other states and territories and teacher regulatory authorities to consider opportunities to improve teacher registration information sharing between jurisdictions.</p> <p>A cross-jurisdictional working group was established to provide advice on:</p> <ul style="list-style-type: none"> • options for national information sharing on teacher registration; • the National Review of Teacher Registration;

No	Recommendation	Queensland Government position	Status	Implementation summary
	<p>c. where relating to allegations or incidents of child sexual abuse:</p> <ul style="list-style-type: none"> i. current and past disciplinary actions, such as conditions on, suspension of, and cancellation of registration ii. grounds for current and past disciplinary actions iii. pending investigations iv. findings or outcomes of investigations where allegations have been substantiated v. resignation or dismissal from employment. 			<ul style="list-style-type: none"> • an associated Best Practice Framework; and • impacts of the introduction of Automatic Mutual Recognition arrangements. <p>The Working Group developed an action plan to address recommendations and concerns set out in the Royal Commission's Final Report and reported at the Australian Education Senior Officials Committee (AESOC) meeting in November 2022. The Action Plan was considered and endorsed by AESOC on 25 November 2022.</p> <p>Depending on outcomes, DoE will develop a high-level work plan outlining key milestones and targets for implementation.</p>
8.10	<p>The COAG Education Council should consider the need for nationally consistent provisions in state and territory teacher registration laws providing that teacher registration authorities may, and/or must on request, make information on teacher registers available to:</p> <ul style="list-style-type: none"> a. teacher registration authorities in other states and territories b. teachers' employers. 	Accept in principle	Ongoing	See above recommendation (8.9).
8.11	<p>The COAG Education Council should consider the need for nationally consistent provisions</p> <ul style="list-style-type: none"> a. in state and territory teacher registration laws, or b. in administrative arrangements, based on legislative authorisation for information sharing under our recommended information exchange scheme <p>providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories and teachers' employers of information they hold or receive about the following matters where they relate to allegations or incidents of child sexual abuse:</p>	Accept in principle	Ongoing	See above recommendation (8.9).

No	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. disciplinary actions, such as conditions or restrictions on, suspension of and cancellation of registration, including with notification of grounds b. investigations into conduct, or into allegations or complaints c. findings or outcomes of investigations d. resignation or dismissal from employment. 			
8.12	In considering improvements to teacher registers and information sharing by registration authorities, the COAG Education Council should also consider what safeguards are necessary to protect teachers' personal information.	Accept in principle	Ongoing	See above recommendation (8.9).
8.13	<p>State and territory governments should ensure that policies provide for the exchange of a student's information when they move to another school, where:</p> <ul style="list-style-type: none"> a. the student may pose risks to other children due to their harmful sexual behaviours or may have educational or support needs due to their experiences of child sexual abuse and b. the new school needs this information to address the safety and wellbeing of the student or of other students at the school. <p>State and territory governments should give consideration to basing these policies on our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	Accept in principle	Ongoing	<p>Potential changes to <i>Education (General Provisions) Act 2006</i> (Qld) (EGPA) Transfer Note provisions are being considered as part of a DoE Review of the EGPA.</p> <p>The EGPA review encompasses input from relevant areas of DoE and external stakeholders and will consider decisions concerning a nationally consistent information exchange scheme (recommendations 8.6-8.8).</p>
8.14	<p>State and territory governments should ensure that policies for the exchange of a student's information when they move to another school:</p> <ul style="list-style-type: none"> a. provide that the principal (or other authorised information sharer) at the student's previous school is required to share 	Accept in principle	Ongoing	See above recommendation (8.13).

No	Recommendation	Queensland Government position	Status	Implementation summary
	<p>information with the new school in the circumstances described in Recommendation 8.13 and</p> <p>b. apply to schools in government and non-government systems.</p>			
8.15	<p>State and territory governments should ensure that policies about the exchange of a student's information (as in Recommendations 8.13 and 8.14) provide the following safeguards, in addition to any safeguards attached to our recommended information exchange scheme:</p> <p>a. information provided to the new school should be proportionate to its need for that information to assist it in meeting the student's safety and wellbeing needs, and those of other students at the school</p> <p>b. information should be exchanged between principals, or other authorised information sharers, and disseminated to other staff members on a need-to-know basis.</p>	Accept in principle	Ongoing	See above recommendation (8.13).
8.16	<p>The COAG Education Council should review the Interstate Student Data Transfer Note and Protocol in the context of the implementation of our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	Accept in principle	Ongoing	See above recommendation (8.13).
8.17	<p>State and territory governments should introduce legislation to establish carers registers in their respective jurisdictions, with national consistency in relation to:</p> <p>a. the inclusion of the following carer types on the carers register:</p> <p>i. foster carers</p>	Accept in principle	Complete	<p>On 10 May 2022, the Legislative Assembly passed the Child Protection Reform and Other Legislation Amendment Bill 2021 that establishes a legislative framework for a carers register in Queensland. The legislation establishes the interim Queensland response to the Royal Commission's recommendations. The amendments commenced on 21 May 2023.</p>

No	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> ii. relative/kinship carers iii. residential care staff b. the types of information which, at a minimum, should be recorded on the register c. the types of information which, at a minimum, must be made available to agencies or bodies with responsibility for assessing, authorising or supervising carers, or other responsibilities related to carer suitability and safety of children in out-of-home care. 			
8.18	Carers registers should be maintained by state and territory child protection agencies or bodies with regulatory or oversight responsibility for out-of-home care in that jurisdiction.	Accept in principle	Complete	See above recommendation (8.17).
8.19	<p>State and territory governments should consider the need for carers registers to include, at a minimum, the following information (register information) about, or related to, applicant or authorised carers, and persons residing on the same property as applicant/authorised home-based carers (household members):</p> <ul style="list-style-type: none"> a. lodgement or grant of applications for authorisation b. status of the minimum checks set out in Recommendation 12.6 as requirements for authorisation, indicating their outcomes as either satisfactory or unsatisfactory c. withdrawal or refusal of applications for authorisation in circumstances of concern (including in relation to child sexual abuse) d. cancellation or surrender of authorisation in circumstances of concern (including in relation to child sexual abuse) e. previous or current association with an out-of-home care agency, whether by application for authorisation, assessment, grant of authorisation, or supervision 	Accept in principle	Complete	See above recommendation (8.17).

No	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> f. the date of reportable conduct allegations, and their status as either current, finalised with ongoing risk-related concerns, and/or requiring contact with the reportable conduct oversight body. 			
8.20	<p>State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies to:</p> <ul style="list-style-type: none"> a. record register information in minimal detail b. record register information as a mandatory part of carer authorisation c. update register information about authorised carers. 	Accept in principle	Ongoing	<p>See above recommendation (8.17).</p> <p>The legislation provides for a regulation to prescribe the information to be included in the carers register, which will provide the flexibility needed to achieve national consistency on the minimum information to be held in the carers register in each jurisdiction. Queensland will continue to participate in these national discussions.</p>
8.21	<p>State and territory governments should consider the need for legislative and administrative arrangements to require responsible agencies:</p> <ul style="list-style-type: none"> a. before they authorise or recommend authorisation of carers, to: <ul style="list-style-type: none"> i. undertake a check for relevant register information, and ii. seek further relevant information from another out-of-home care agency where register information indicates applicant carers, or their household members (in the case of prospective home-based carers) have a prior or current association with that other agency. b. in the course of their assessment, authorisation, or supervision of carers, to: <ul style="list-style-type: none"> i. seek further relevant information from other agencies or bodies, where register information indicates they hold, or may hold, additional information relevant to 	Accept in principle	Ongoing	<p>See above recommendations (8.17 and 8.20).</p>

No	Recommendation	Queensland Government position	Status	Implementation summary
	<p>carer suitability, including reportable conduct information.</p> <p>State and territory governments should give consideration to enabling agencies to seek further information for these purposes under our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>			
8.22	<p>State and territory governments should consider the need for effective mechanisms to enable agencies and bodies to obtain relevant information from registers in any state or territory holding such information. Consideration should be given to legislative and administrative arrangements, and digital platforms, which will enable:</p> <ol style="list-style-type: none"> a. agencies responsible for assessing, authorising or supervising carers b. other agencies, including jurisdictional child protection agencies and regulatory and oversight bodies, with responsibilities related to the suitability of persons to be carers and the safety of children in out-of-home care to obtain relevant information from their own and other jurisdictions' registers for the purpose of exercising their responsibilities and functions. 	Accept in principle	Ongoing	See above recommendations (8.17 and 8.20).
8.23	<p>In considering the legislative and administrative arrangements required for carers registers in their jurisdiction, state and territory governments should consider the need for guidelines and training to promote the proper use of carers registers for the protection of children in out-of-home care. Consideration should also be given to the need for specific safeguards to prevent inappropriate use of register information.</p>	Accept in principle	Ongoing	See above recommendations (8.17 and 8.20).

Volume 9 – Advocacy, support and therapeutic treatment services

No.	Recommendation	Queensland Government position	Status	Implementation summary
9.1	<p>The Australian Government and state and territory governments should fund dedicated community support services for victims and survivors in each jurisdiction, to provide an integrated model of advocacy and support and counselling to children and adults who experienced childhood sexual abuse in institutional contexts.</p> <p>Funding and related agreements should require and enable these services to:</p> <ol style="list-style-type: none"> be trauma-informed and have an understanding of institutional child sexual abuse be collaborative, available, accessible, acceptable and high quality use case management and brokerage to coordinate and meet service needs support and supervise peer-led support models. 	Accept in principle	Ongoing	<p><i>Prevent. Support. Believe. Queensland’s Framework to address Sexual Violence</i> outlines the Queensland Government’s approach to preventing and responding to sexual violence. The first <i>Prevent. Support. Believe. Queensland’s framework to address sexual violence—Action plan 2021–22</i> outlines new and continuing sexual violence prevention and response actions across the Queensland Government.</p> <p>DJAG and DCSSDS fund a range of non-government organisations to provide trauma-informed, accessible and culturally safe support to people with lived experience of child sexual abuse.</p> <p>On 21 November 2022, the Queensland Government released its response to the independent Women’s Safety and Justice Taskforce second report, <i>Hear her voice – Women and girls’ experiences across the criminal justice system</i>.</p> <p>The Queensland Government will develop a whole-of-government sexual violence strategic investment plan encompassing services and supports delivered and funded by Queensland Government agencies.</p> <p>The <i>National Strategy to Prevent and Respond to Child Sexual Abuse</i> includes ‘supporting and empowering victims and survivors’ as Priority Theme 2.</p> <p>A cross-agency working group has been established to promote a coordinated, cross-agency approach to the Queensland Government’s participation in the National Strategy.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
9.2	The Australian Government and state and territory governments should fund Aboriginal and Torres Strait Islander healing approaches as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse. These approaches should be evaluated in accordance with culturally appropriate methodologies, to contribute to evidence of best practice.	Accept in principle	Ongoing	See above recommendation (9.1).
9.3	The Australian Government and state and territory governments should fund support services for people with disability who have experienced sexual abuse in childhood as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse.	Accept in principle	Ongoing	See above recommendation (9.1).
9.4	<p>The Australian Government should establish and fund a legal advice and referral service for victims and survivors of institutional child sexual abuse. The service should provide advice about accessing, amending and annotating records from institutions, and options for initiating police, civil litigation or redress processes as required. Support should include advice, referrals to other legal services for representation and general assistance for people to navigate the legal service system.</p> <p>Funding and related agreements should require and enable these services to be:</p> <ol style="list-style-type: none"> a. trauma-informed and have an understanding of institutional child sexual abuse b. collaborative, available, accessible, acceptable and high quality. 	Accept in principle	N/A	<p>Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports.</p>
9.5	The Australian Government should fund a national website and helpline as a gateway to accessible advice and information on childhood sexual abuse. This should provide information for victims and survivors, particularly victims and survivors of institutional child sexual abuse, the general public and practitioners about supporting	Accept in principle	N/A	See above recommendation (9.4).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>children and adults who have experienced sexual abuse in childhood and available services. The gateway may be operated by an existing service with appropriate experience and should:</p> <ul style="list-style-type: none"> a. be trauma-informed and have an understanding of institutional child sexual abuse b. be collaborative, available, accessible, acceptable and high quality c. provide telephone and online information and initial support for victims and survivors, including independent legal information and information about reporting to police d. provide assisted referrals to advocacy and support and therapeutic treatment services. 			
9.6	<p>The Australian Government and state and territory governments should address existing specialist sexual assault service gaps by increasing funding for adult and child sexual assault services in each jurisdiction, to provide advocacy and support and specialist therapeutic treatment for victims and survivors, particularly victims and survivors of institutional child sexual abuse. Funding agreements should require and enable services to:</p> <ul style="list-style-type: none"> a. be trauma-informed and have an understanding of institutional child sexual abuse b. be collaborative, available, accessible, acceptable and high quality c. use collaborative community development approaches d. provide staff with supervision and professional development. 	Accept in principle	Ongoing	See above recommendation (9.1).
9.7	<p>Primary Health Networks, within their role to commission joined up local primary care services, should support sexual assault services to work collaboratively with key services such as disability-specific</p>	Accept in principle	N/A	See above recommendation (9.4).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	services, Aboriginal and Torres Strait Islander services, culturally and linguistically diverse services, youth justice, aged care and child and youth services to better meet the needs of victims and survivors.			
9.8	The Australian Government and state and territory government agencies responsible for the delivery of human services should ensure relevant policy frameworks and strategies recognise the needs of victims and survivors and the benefits of implementing trauma informed approaches.	Accept in principle	Complete	<p>Queensland Government agencies responsible for delivering human services continue to implement trauma-informed approaches including:</p> <ul style="list-style-type: none"> • training and support for young people in youth detention centres, including cultural programs for Aboriginal and Torres Strait Islander young people; • <i>Hope and Healing Framework</i> for residential care and foster care; • training for school staff to support students who have experienced trauma; • professional development for psychologists and counsellors to enhance therapeutic practice in Queensland correctional centres; • \$2.9 million increase in funding in 2022–23 for psychological support services in Queensland correctional centres; • QH's <i>Aboriginal and Torres Strait Islander Mental Health Strategy 2016–21</i> and Mental Health Community Support Services; • QH's First Nations equity reform agenda to embed First Nations-led models of service delivery; • QH's <i>Suicide Prevention Practice Guideline</i>; • QH's <i>Mental health intensive care units</i> guideline, published in July 2022;

No.	Recommendation	Queensland Government position	Status	Implementation summary
				<ul style="list-style-type: none"> • QPS's <i>Sexual Violence Response Strategy 2021–2023</i>; and • development of a consistent, evidence-based and trauma-informed framework to support training, education and change management across all parts of the domestic and family violence and the justice system.
9.9	<p>The Australian Government, in conjunction with state and territory governments, should establish and fund a national centre to raise awareness and understanding of the impacts of child sexual abuse, support help-seeking and guide best practice advocacy and support and therapeutic treatment. The national centre's functions should be to:</p> <ol style="list-style-type: none"> raise community awareness and promote destigmatising messages about the impacts of child sexual abuse increase practitioners' knowledge and competence in responding to child and adult victims and survivors by translating knowledge about the impacts of child sexual abuse and the evidence on effective responses into practice and policy. This should include activities to: <ol style="list-style-type: none"> identify, translate and promote research in easily available and accessible formats for advocacy and support and therapeutic treatment practitioners produce national training materials and best practice clinical resources partner with training organisations to conduct training and workforce development programs 	Accept in principle	Complete	<p>The National Centre for Action on Child Sexual Abuse was established in 2021. It is an independent, not-for-profit organisation established to increase understanding of child sexual abuse, promote effective ways for protecting children, guide best practice responses and pathways to healing for survivors and reduce the harm it causes.</p> <p>The Queensland Government has continued to actively participate in national discussions about the work of the National Centre and the mechanisms for state and territory government and stakeholder engagement.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> iv. influence national tertiary curricula to incorporate child sexual abuse and trauma-informed care v. inform government policy making. c. lead the development of better service models and interventions through coordinating a national research agenda and conducting high-quality program evaluation. <p>The national centre should partner with survivors in all its work, valuing their knowledge and experience.</p>			

Volume 10 – Children with harmful sexual behaviours

No.	Recommendation	Queensland Government position	Status	Implementation summary
10.1	<p>The Australian Government and state and territory governments should ensure the issue of children’s harmful sexual behaviours is included in the national strategy to prevent child sexual abuse that we have recommended (see Recommendations 6.1 to 6.3). Harmful sexual behaviours by children should be addressed through each of the following:</p> <ol style="list-style-type: none"> a. primary prevention strategies to educate family, community members, carers and professionals (including mandatory reporters) about preventing harmful sexual behaviours b. secondary prevention strategies to ensure early intervention when harmful sexual behaviours are developing c. tertiary intervention strategies to address harmful sexual behaviours. 	<p>Accept in principle</p>	<p>Ongoing</p>	<p><i>Prevent. Support. Believe. Queensland’s Framework to address Sexual Violence</i> outlines the Queensland Government’s approach to preventing and responding to sexual violence. The first <i>Prevent. Support. Believe. Queensland’s framework to address sexual violence—Action plan 2021–22</i> outlines new and continuing sexual violence prevention and response actions across the Queensland Government.</p> <p>DJAG and DCSSDS fund a range of non-government organisations to respond to children with harmful sexual behaviours. This includes specialist counselling services for children in the youth justice system and specialist responses to children in the child protection system.</p> <p>The Queensland Government committed an additional \$12 million from 2018–19 to 2021–22 for priority youth sexual violence and abuse actions. These priority actions have delivered holistic wrap around responses to youth sexual violence and abuse in five priority locations (Gladstone, Rockhampton, South Burnett, Moreton Bay and Toowoomba), the commencement of three place-based prevention projects in Toowoomba, Yarrabah and Bundaberg and evaluations of outcomes to inform future service models.</p> <p>A further \$2.2 million has been approved to continue the youth sexual violence and abuse support services in 2022–23 and \$1.8 million to continue the three place-based prevention projects over 2022–23 to 2023–24.</p> <p>Additionally, \$1.6 million over three years (to 2022–23) has been invested in youth sexual violence and abuse services in Cairns, as well as \$300,000 per annum for services in the Northern Peninsula Area.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
				<p>The <i>National Strategy to Prevent and Respond to Child Sexual Abuse</i> includes 'enhancing national approaches to children with harmful sexual behaviours' as Priority Theme 3. A cross-agency working group has been established to promote a coordinated, cross-agency approach to the Queensland Government's participation in the National Strategy.</p> <p>DCSSDS and QH continue to represent Queensland on the Inter-Jurisdictional Working Group on Children with Harmful Sexual Behaviours.</p>
10.2	The Australian Government and state and territory governments should ensure timely expert assessment is available for individual children with problematic and harmful sexual behaviours, so they receive appropriate responses, including therapeutic interventions, which match their particular circumstances.	Accept in principle	Ongoing	See above recommendation (10.1).
10.3	The Australian Government and state and territory governments should adequately fund therapeutic interventions to meet the needs of all children with harmful sexual behaviours. These should be delivered through a network of specialist and generalist therapeutic services. Specialist services should also be adequately resourced to provide expert support to generalist services.	Accept in principle	Ongoing	See above recommendation (10.1).
10.4	State and territory governments should ensure that there are clear referral pathways for children with harmful sexual behaviours to access expert assessment and therapeutic intervention, regardless of whether the child is engaging voluntarily, on the advice of an institution or through their involvement with the child protection or criminal justice systems.	Accept in principle	Ongoing	See above recommendation (10.1).
10.5	Therapeutic intervention for children with harmful sexual behaviours should be based on the following principles: <ul style="list-style-type: none"> a. a contextual and systemic approach should be used 	Accept in principle	Ongoing	See above recommendation (10.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. family and carers should be involved c. safety should be established d. there should be accountability and responsibility for the harmful sexual behaviours e. there should be a focus on behaviour change f. developmentally and cognitively appropriate interventions should be used g. the care provided should be trauma-informed h. therapeutic services and interventions should be culturally safe i. therapeutic interventions should be accessible to all children with harmful sexual behaviours. 			
10.6	The Australian Government and state and territory governments should ensure that all services funded to provide therapeutic intervention for children with harmful sexual behaviours provide professional training and clinical supervision for their staff.	Accept in principle	Ongoing	See above recommendation (10.1).
10.7	The Australian Government and state and territory governments should fund and support evaluation of services providing therapeutic interventions for problematic and harmful sexual behaviours by children.	Accept in principle	Ongoing	See above recommendation (10.1).

Volume 12 – Contemporary out-of-home care

No.	Recommendation	Queensland Government position	Status	Implementation summary
12.1	The Australian Government and state and territory governments should develop nationally agreed key terms and definitions in relation to child sexual abuse for the purpose of data collection and reporting by the Australian Institute of Health and Welfare (AIHW) and the Productivity Commission.	Accept in principle	Complete	On 10 December 2021, AIHW released the national report <i>Safety of children in care 2020-21</i> , which includes a nationally agreed definition child sexual abuse.
12.2	<p>The Australian Government and state and territory governments should prioritise enhancements to the Child Protection National Minimum Data Set to include:</p> <ul style="list-style-type: none"> a. data identifying children with disability, children from culturally and linguistically diverse backgrounds and Aboriginal and Torres Strait Islander children b. the number of children who were the subject of a substantiated report of sexual abuse while in out-of-home care c. the demographics of those children d. the type of out-of-home care placement in which the abuse occurred e. information about when the abuse occurred f. information about who perpetrated the abuse, including their age and their relationship to the victim, if known. 	Accept in principle	Ongoing	<p>The data in the AIHW national report <i>Safety of children in care 2020-21</i> will continue to be reported publicly each year by the AIHW as part of a 2018 commitment made by the national Child and Families Secretaries.</p> <p>Within Queensland, DCSSDS will continue to publicly report data about harm experienced by children in care on the Our Performance website (available at https://performance.cyjma.qld.gov.au/).</p>
12.3	State and territory governments should agree on reporting definitions and data requirements to enable reporting in the Report on Government Services on outcome indicators for 'improved health and wellbeing of the child', 'safe return home' and 'permanent care'.	Accept in principle	Ongoing	<p>Implementation of the 'safe return home' and 'permanent care' indicators in this recommendation are reported annually by all Australian jurisdictions in the <i>Report on Government Services</i>.</p> <p>Work to implement a national approach to reporting the 'improved health and wellbeing of the child' indicator in the <i>Report on Government Services</i> will be ongoing post 2022. Work led by the Australian Government Department of</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
				<p>Social Services will determine the continuation of the National Survey of Children in Out-of-Home Care, as part of implementing the <i>Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031</i>.</p> <p>DCSSDS will continue to report a range of indicators relating to children's wellbeing and permanency on the Our Performance website (available at https://performance.cyjma.qld.gov.au/). Work will also continue to develop new indicators for future reporting.</p>
12.4	<p>Each state and territory government should revise existing mandatory accreditation schemes to:</p> <ol style="list-style-type: none"> a. incorporate compliance with the Child Safe Standards identified by the Royal Commission b. extend accreditation requirements to both government and non-government out-of-home care service providers. 	Accept in principle	Ongoing	<p>Queensland has been working on the regulation of care over several years, including implementing recommendations from the 2017 Queensland Family and Child Commission inquiry, <i>Keeping Queensland's children more than safe: Review of the foster care system</i>.</p> <p>In July 2019, a public discussion paper was released, <i>Rethinking rights and regulation: Towards a stronger framework for protecting children and supporting families</i>.</p> <p>This work culminated with the passage of the Child Protection Reform and Other Legislation Amendment Bill 2021 by the Legislative Assembly on 10 May 2022. The amendments to the <i>Child Protection Act 1999</i> (Qld) will streamline, clarify and improve the regulation of care. The amendments commenced on 21 May 2023.</p> <p>The incorporation of compliance with child safe standards into out-of-home care accreditation is partially dependent on a broader project considering options for statewide implementation of child safe standards in Queensland.</p>
12.5	<p>In each state and territory, an existing statutory body or office that is independent of the relevant child protection agency and out-of-home care service providers, for example a children's guardian, should have responsibility for:</p>	Accept in principle	Complete	<p>Queensland's child protection system is supported by robust independent oversight mechanisms.</p> <p>Independent regulation of service providers is supported through the complementary Working with Children Check</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. receiving, assessing and processing applications for accreditation of out-of-home care service providers b. conducting audits of accredited out-of-home care service providers to ensure ongoing compliance with accreditation standards and conditions. 			<p>(Blue Cards) system as well as the Human Services Quality Framework..</p> <p>In addition, the Queensland Family and Child Commission provides independent oversight of the child protection system and the rights of children and young people are protected by the community visitor and child advocacy functions of the OPG.</p> <p>DCSSDS manages the accreditation and auditing of out-of-home care service providers occurs through the Child Safety licencing process.</p>
12.6	<p>In addition to a National Police Check, Working With Children Check and referee checks, authorisation of all foster and kinship/relative carers and all residential care staff should include:</p> <ul style="list-style-type: none"> a. community services checks of the prospective carer and any adult household members of home-based carers b. documented risk management plans to address any risks identified through community services checks c. at least annual review of risk management plans as part of carer reviews and more frequently as required. 	Accept in principle	Complete	<p>DCSSDS continues to require:</p> <ul style="list-style-type: none"> • approved foster and kinship carers and all adult household members to hold blue cards; • approved foster and kinship carers to report any changes in the carer household or personal history to the department immediately; and • case plans and placement agreements for children in the custody or guardianship of the chief executive (Child Safety) to be reviewed every six months.
12.7	<p>All out-of-home care service providers should conduct annual reviews of authorised carers that include interviews with all children in the placement with the carer under review, in the absence of the carer.</p>	Accept in principle	Complete	<p>Child safety officers are required to have regular face-to-face contact with children in care when the chief executive (Child Safety) has custody or guardianship responsibilities for a child. Contact is to occur at least once per month, including talking with the child alone. If concerns are identified by the child safety officer or the child, a review of the carer's suitability or how they meet the standards of care can be conducted at any time.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
12.8	<p>Each state and territory government should adopt a model of assessment appropriately tailored for kinship/relative care. This type of assessment should be designed to:</p> <ol style="list-style-type: none"> better identify the strengths as well as the support and training needs of kinship/relative carers ensure holistic approaches to supporting placements that are culturally safe include appropriately resourced support plans. 	Accept in principle	Complete	<p>DCSSDS maintains a separate assessment guideline and report for kinship care that are tailored for kinship and relative care.</p> <p>The Queensland Aboriginal and Torres Strait Islander Child Protection Peak and partners in the community-controlled sector are leading the development and implementation of a new Aboriginal and Torres Strait Islander Family Caring for Family program. This program includes an Aboriginal and Torres Strait Islander kinship care service model. DCSSDS is supporting this important work.</p>
12.9	<p>All state and territory governments should collaborate in the development of a sexual abuse prevention education strategy, including online safety, for children in out-of-home care that includes:</p> <ol style="list-style-type: none"> input from children in out-of-home care and care-leavers comprehensive, age-appropriate and culture-appropriate education about sexuality and healthy relationships that is tailored to the needs of children in out-of-home care resources tailored for children in care, for foster and kinship/relative carers, for residential care staff and for caseworkers resources that can be adapted to the individual needs of children with disability and their carers. 	Accept in principle	Ongoing	<p>The Queensland Government has been collaborating with other state and territory governments on sexual abuse prevention education resources for children in care as part of its work implementing the <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030</i> and contributing to the work of the National Centre for Action on Child Sexual Abuse.</p>
12.10	<p>State and territory governments, in collaboration with out-of-home care service providers and peak bodies, should develop resources to assist service providers to:</p> <ol style="list-style-type: none"> provide appropriate support and mechanisms for children in out-of-home care to communicate, either verbally or through behaviour, their views, concerns and complaints 	Accept	Complete	<p>On 10 May 2022, the Legislative Assembly passed the Child Protection Reform and Other Legislation Amendment Bill 2021 to strengthen children’s rights and voices, including their ability to participate in decisions about their lives.</p> <p>The <i>Child Protection Reform and Other Legislation Amendment Act 2022</i> introduces participation principles to ensure children and young people are provided with</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. provide appropriate training and support to carers and caseworkers to ensure they hear and respond to children in out-of-home care, including ensuring children are involved in decisions about their lives c. regularly consult with the children in their care as part of continuous improvement processes. 			<p>meaningful and ongoing opportunities to have a voice, that their views are genuinely listened to and engaged with, and genuine attempts are made to understand their views.</p> <p>It will also mean Queensland is leading the way in legislating to require children to be given the opportunity to participate in policy and program development and service design.</p> <p>The amendments commenced on 21 May 2023.</p>
12.11	<p>State and territory governments and out-of-home care service providers should ensure that training for foster and relative/kinship carers, residential care staff and child protection workers includes an understanding of trauma and abuse, the impact on children and the principles of trauma-informed care to assist them to meet the needs of children in out-of-home care, including children with harmful sexual behaviours.</p>	Accept	Complete	<p>Since 2016, PeakCare Queensland has worked with DCSSDS and the sector to develop and implement the <i>Hope and Healing Framework</i> for residential care. The <i>Hope and Healing Framework</i> is foundational trauma-informed training for care workers to understand and respond to trauma-related needs of children and young people using a therapeutic approach.</p> <p>In 2022, <i>Hope and Healing for Foster Care</i> was launched, expanding the model to foster carers. DCSSDS has provided further funding to PeakCare Queensland in the 2022–23 financial year to undertake a review of <i>Hope and Healing</i> module content and to develop new training content to support adolescents displaying high-risk behaviours in line with DCSSDS’s Positive Behaviour Support and Managing High Risk Behaviour policies.</p>
12.12	<p>When placing a child in out-of-home care, state and territory governments and out-of-home care service providers should take the following measures to support children with harmful sexual behaviours:</p> <ul style="list-style-type: none"> a. undertake professional assessments of the child with harmful sexual behaviours, including identifying their needs and appropriate supports and interventions to ensure their safety 	Accept	Complete	<p>DCSSDS responds to the needs of children in care with harmful sexual behaviours in several ways. DCSSDS continues to provide funding for a range of specialist services to assist children and young people in the child protection system, who have been sexually abused or are engaging in problem sexual or early sexual offending behaviour. DCSSDS also funds QH to deliver Evolve Therapeutic Services to provide therapeutic interventions for</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. establish case management and a package of support services c. undertake careful placement matching that includes: <ul style="list-style-type: none"> i. providing sufficient relevant information to the potential carer/s and residential care staff to ensure they are equipped to support the child, and additional training as necessary ii. rigorously assessing potential threats to the safety of other children, including the child's siblings, in the placement. 			<p>children in care with complex psychological and behavioural needs, including harmful sexual behaviours.</p> <p>DCSSDS provides specialist services to frontline child safety staff as well as government and non-government partner agencies around complex child protection issues in relation to child sexual abuse, harmful sexual behaviours and sexual exploitation. This includes case-by-case consultations to assist in decision making about appropriate assessments and interventions for children and young people who engage in harmful sexual behaviours.</p> <p>DCSSDS case planning procedures are set out in the Child Safety Practice Manual and further detailed information about working with children and young people displaying harmful sexual behaviours is provided in the Child Sexual Abuse Practice Kit.</p> <p>DCSSDS provides care in accordance with the <i>Child Protection Act 1999</i> (Qld), including the Statement of Standards (section 122), the Charter of Rights of a Child in Care (Schedule 1) and the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle (section 5C). These legislative provisions provide a guide for ensuring care environments are suitable for children in care.</p>
12.13	<p>State and territory governments and out-of-home care service providers should provide advice, guidelines and ongoing professional development for all foster and kinship/relative carers and residential care staff about preventing and responding to the harmful sexual behaviours of some children in out-of-home care.</p>	Accept	Complete	<p>See above recommendation (12.12).</p> <p>Evolve Therapeutic Services, in collaboration with DCSSDS, assists out-of-home care services to access support and resources to support children in care with complex psychological and behavioural needs, including harmful sexual behaviours.</p> <p>Additionally, the implementation of the <i>Hope and Healing Framework</i>, the associated foundational training e-modules and introduction of Minimum Qualification Standards for</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
				residential care staff assists with responding to children in care.
12.14	<p>All state and territory governments should develop and implement coordinated and multi-disciplinary strategies to protect children in residential care by:</p> <ol style="list-style-type: none"> a. identifying and disrupting activities that indicate risk of sexual exploitation b. supporting agencies to engage with children in ways that encourage them to assist in the investigation and prosecution of sexual exploitation offences. 	Accept in principle	Complete	<p>See above recommendation (12.11).</p> <p>The Minimum Qualification Standards took effect on 1 January 2019 and require all residential care staff and their direct supervisors employed by licensed residential care services to:</p> <ul style="list-style-type: none"> • hold or be enrolled in and working towards a recognised relevant qualification prior to commencing unsupervised direct care work with children and young people in care; • for those staff currently enrolled, obtain the qualification within the timeframes determined by the relevant training authority; and • complete the online <i>Hope and Healing Framework</i> training prior to commencing unsupervised direct care work.
12.15	<p>Child protection departments in all states and territories should adopt a nationally consistent definition for child sexual exploitation to enable the collection and reporting of data on sexual exploitation of children in out-of-home care as a form of child sexual abuse.</p>	Accept	Ongoing	<p>In 2019, members of the Strategic Information Group, a sub-group of the national Child and Family Secretaries Group, provided endorsement, or in principle endorsement, of a nationally agreed definition for child sexual exploitation. This definition has been included in the glossary of the Child Protection National Minimum Data Set manual since 2019–20.</p> <p>National work in relation to the data collection and reporting of child sexual exploitation will be ongoing post 2022, as part of recommendation 12.2.</p>
12.16	<p>All institutions that provide out-of-home care should develop strategies that increase the likelihood of safe and stable placements for children in care. Such strategies should include:</p>	Accept	Complete	See above recommendation (12.11).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. improved processes for ‘matching’ children with carers and other children in a placement, including in residential care b. the provision of necessary information to carers about a child, prior to and during their placement, to enable carers to properly support the child c. support and training for carers to deal with the different developmental needs of children as well as managing difficult situations and challenging behaviour. 			<p>DCSSDS works in partnership with carers and out-of-home care service providers including residential care services and foster and kinship care agencies to support safe and stable placements for children.</p> <p>Considerations when placing a child in care include:</p> <ul style="list-style-type: none"> • determining the child’s level of support needs; • matching the child’s needs to the capabilities and characteristics of a carer or residential care service; • developing strategies to support the placement; and • providing the proposed carer and their foster and kinship care agency or residential care service with information about the child. <p><i>The Child Protection Reform and Other Legislation Amendment Act 2022</i> amends the <i>Child Protection Act 1999</i> (Qld) to streamline, clarify and improve the regulation of care. The changes include:</p> <ul style="list-style-type: none"> • providing examples of information to be given to a carer that they may reasonably need to help them make an informed decision about agreeing to a placement; • providing examples of information to be given to a carer that they may reasonably need to provide care for a child; and • requiring that the chief executive (Child Safety) must provide an approved carer with, or ensure an approved carer has access to, support to help care for a child and training to maintain or develop the carer’s ability to care for children. <p>The amendments are commenced on 21 May 2023.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
12.17	<p>Each state and territory government should ensure that:</p> <ul style="list-style-type: none"> a. the financial support and training provided to kinship/relative carers is equivalent to that provided to foster carers b. the need for any additional supports are identified during kinship/relative carer assessments and are funded c. additional casework support is provided to maintain birth family relationships. 	Accept in principle	Complete	<p>DCSSDS makes available to kinship carers the same financial support available to foster carers.</p> <p>Additional supports, including orientating to care and continuous learning opportunities, are documented in placement agreements with kinship carers.</p> <p>Casework support is provided to maintain birth family relationships wherever safe and possible for all children and young people in care.</p>
12.18	The key focus of residential care for children should be based on an intensive therapeutic model of care framework designed to meet the complex needs of children with histories of abuse and trauma.	Accept	Complete	See above recommendation (12.11).
12.19	All residential care staff should be provided with regular training and professional supervision by appropriately qualified clinicians.	Accept in principle	Complete	See above recommendations (12.11 and 12.14).
12.20	<p>Each state and territory government, in consultation with appropriate Aboriginal and Torres Strait Islander organisations and community representatives, should develop and implement plans to:</p> <ul style="list-style-type: none"> a. fully implement the Aboriginal and Torres Strait Islander Child Placement Principle b. improve community and child protection sector understanding of the intent and scope of the principle c. develop outcome measures that allow quantification and reporting on the extent of the full application of the principle, and evaluation of its impact on child safety and the reunification of Aboriginal and Torres Strait Islander children with their families d. invest in community capacity building as a recognised part of kinship care, in addition to supporting individual carers, 	Accept	Complete	<p>DCSSDS has fully reflected the Aboriginal and Torres Strait Islander Child Placement Principle in policy procedural and practice guidance for staff, with routine monitoring of compliance. The <i>Child Protection Reform and Other Legislation Amendment Act 2022</i> amends the <i>Child Protection Act 1999</i> (Qld) to require active efforts to be made to apply the Aboriginal and Torres Strait Islander Child Placement Principle when making a significant decision about an Aboriginal or Torres Strait Islander child. The amendments are expected to commence on 21 May 2023.</p> <p>The Queensland Government recognises that sustained effort and commitment is required to continue to embed the Aboriginal and Torres Strait Islander Child Placement Principle into our daily work and to enhance and grow our practice in partnership with Aboriginal and Torres Strait Islander peoples and communities over time.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	in recognition of the role of Aboriginal and Torres Strait Islander communities in bringing up children.			<p>On 26 August 2022, the AIHW released its report, <i>The Aboriginal and Torres Strait Islander Child Placement Principle Indicators (2020-21)</i>.</p> <p>The Queensland Government will continue to work with the Australian Government and states and territories to improve national reporting on the application of the Aboriginal and Torres Strait Islander Child Placement Principle.</p>
12.21	<p>Each state and territory government should ensure:</p> <ul style="list-style-type: none"> a. the adequate assessment of all children with disability entering out-of-home care b. the availability and provision of therapeutic support c. support for disability-related needs d. the development and implementation of care plans that identify specific risk-management and safety strategies for individual children, including the identification of trusted and safe adults in the child's life. 	Accept	Complete	<p>The DCSSDS Specialist Services program supports children and young people with complex needs. The program has a strong focus on supporting children with a disability and assists Child Safety staff to identify a child's disability or therapeutic needs and access appropriate supports, including mainstream services or the National Disability Insurance Scheme. The Disability Practice Kit and other departmental resources also provide guidance for Child Safety staff to identify and support children and young people with disabilities entering care.</p>
12.22	<p>State and territory governments should ensure that the supports provided to assist all care-leavers to safely and successfully transition to independent living include:</p> <ul style="list-style-type: none"> a. strategies to assist care-leavers who disclose that they were sexually abused while in out-of-home care to access general post-care supports b. the development of targeted supports to address the specific needs of sexual abuse survivors, such as help in accessing therapeutic treatment to deal with impacts of abuse, and for these supports to be accessible until at least the age of 25. 	Accept	Complete	<p>DCSSDS funds eight Next Step Plus services to assist young people aged 15 to 25 to access the practical and therapeutic support they need to transition from care, based on their individual experiences and circumstances. This includes assistance to access therapeutic support through adult sexual abuse services.</p> <p>Queensland will expand its support of young people transitioning from care from mid-2023. The allowance for carers of young people who remain living with them will be extended until the young person turns 21 years of age. Culturally appropriate non-government case worker support and financial support for young people leaving residential care will also be funded from 18 years of age until their 21st birthday.</p>

Volume 13 – Schools

No.	Recommendation	Queensland Government position	Status	Implementation summary
13.1	All schools should implement the Child Safe Standards identified by the Royal Commission.	Accept in principle	Complete	<p>DoE has developed several initiatives to implement child safe standards including:</p> <ul style="list-style-type: none"> • development and release of the '<i>Aware. Protective. Safe. Strategy</i>' to strengthen the approach to child safety in Queensland schools and early childhood services; • delivery of a National Principles for Child Safe Organisations (National Principles) Checklist and Action Plan to assist school principals and staff to support child safe organisations, with continued work to embed the National Principles in all organisations working with DoE; and • amendments to funding guidelines for the Queensland Kindergarten Funding Scheme and Early Years Services to include a requirement for funded early childhood service providers that they implement the National Principles.
13.2	State and territory independent oversight authorities responsible for implementing the Child Safe Standards (see Recommendation 6.10) should delegate to school registration authorities the responsibility for monitoring and enforcing the Child Safe Standards in government and non-government schools.	Accept in principle	Ongoing	See above recommendation (6.4).
13.3	School registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards. Policy guidance and practical support should be provided to all boarding schools to meet these standards, including advice on complaint handling.	Accept in principle	Ongoing	In 2021, DoE undertook an interjurisdictional review and gap analysis around the child safe standards and a desktop scan of implementation status of non-state schools. DoE has also undertaken initial work and consultation with DCSSDS on options for implementation and how this may relate to existing non-state school regulatory arrangements.

No.	Recommendation	Queensland Government position	Status	Implementation summary
13.4	The Australian Government and state and territory governments should ensure that needs-based funding arrangements for Aboriginal and Torres Strait Islander boarding students are sufficient for schools and hostels to create child safe environments.	Accept in principle	Complete	DoE developed an issues paper setting out cost analysis, conclusions and next steps/policy positioning for boarding schools funding. The Australian Government has announced two rounds of dedicated grant funding for Aboriginal and/or Torres Strait Islander boarding schools, with \$16.6 million available for use in the 2022 school year and a further \$17.3 million available for use in the 2023 school year.
13.5	Boarding hostels for children and young people should implement the Child Safe Standards identified by the Royal Commission. State and territory independent oversight authorities should monitor and enforce the Child Safe Standards in these institutions.	Accept in principle	Ongoing	In 2019, DoE developed and released the <i>Safety and wellbeing of students residing at a state operated residential boarding school facility procedure</i> . In 2020, new Student Hostel Subsidy Scheme Program Guidelines were introduced that require implementation of child safe standards policies and procedures.
13.6	Consistent with the Child Safe Standards, complaint handling policies for schools (see Recommendation 7.7) should include effective policies and procedures for managing complaints about children with harmful sexual behaviours.	Accept in principle	Ongoing	DoE's Customer Complaints Management Framework includes a child-friendly complaint form, which provides a complaints mechanism that is simple, accessible and easy to use for children and students. The framework is currently under review with a focus on implementing a child-friendly approach. DoE is working to ensure that the <i>Allegations against Employees in the Area of Student Protection Procedure</i> is accessible to children and supported by child-friendly complaint material. DoE has also prepared a guide to support local managers to undertake management action for low level student protection concerns. This guide contains templates and support for taking student statements.
13.7	State and territory governments should provide nationally consistent and easily accessible guidance to teachers and principals on	Accept in principle	Ongoing	DoE has a suite of policies and procedures in place to ensure all state school staff members are aware of how to

No.	Recommendation	Queensland Government position	Status	Implementation summary
	preventing and responding to child sexual abuse in all government and non-government schools.			<p>act appropriately to prevent and respond to child sexual abuse.</p> <p>DoE is considering how best to integrate the nationally consistent guidance material for principals and teachers regarding the prevention of child sexual abuse (developed by the Australian Institute of Family Studies) with existing departmental policies, procedures and guidance materials.</p>
13.8	The Council of Australian Governments (COAG) should consider strengthening teacher registration requirements to better protect children from sexual abuse in schools. In particular, COAG should review minimum national requirements for assessing the suitability of teachers, and conducting disciplinary investigations.	Accept in principle	Ongoing	See above recommendation (8.9).

Volume 14 – Sport, recreation, arts, culture, community and hobby groups

No.	Recommendation	Queensland Government position	Status	Implementation summary
14.1	All sport and recreation institutions, including arts, culture, community and hobby groups, that engage with or provide services to children should implement the Child Safe Standards identified by the Royal Commission.	Accept in principle	Ongoing	See above recommendation (6.4).
14.2	The National Office for Child Safety should establish a child safety advisory committee for the sport and recreation sector with membership from government and non-government peak bodies to advise the national office on sector-specific child safety issues.	Accept in principle	N/A	Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports .
14.3	The education and information website known as Play by the Rules should be expanded and funded to develop resources – in partnership with the National Office for Child Safety – that are relevant to the broader sport and recreation sector.	Accept in principle	N/A	See above recommendation (14.2).
14.4	The independent state and territory oversight bodies that implement the Child Safe Standards should establish a free email subscription function for the sport and recreation sector so that all providers of these services to children can subscribe to receive relevant child safe information and links to resources.	Accept in principle	Ongoing	See above recommendation (6.4).

Volume 15 – Contemporary detention environments

No.	Recommendation	Queensland Government position	Status	Implementation summary
15.1	All institutions engaged in child-related work, including detention institutions and those involving detention and detention-like practices, should implement the Child Safe Standards identified by the Royal Commission.	Accept in principle	Ongoing	A Roadmap has been developed to implement the National Principles for Child Safe Organisations into service delivery.
15.2	Given the Australian Government's commitment to ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the National Preventive Mechanism(s) should be provided with the expertise to consider and make recommendations relating to preventing and responding to child sexual abuse as part of regularly examining the treatment of persons deprived of their liberty in places of detention.	Noted	Complete	<p>The <i>Inspector of Detention Services Act 2022</i> (Qld) (the Act) establishes the Inspector of Detention Services (the Inspector), which is an independent statutory body with scope to oversee prisons, police watch-houses and youth detention centres. The Act encompasses key features of the recommendation from the Royal Commission that the body should have expertise to consider and make recommendations relating to preventing and responding to child sexual abuse.</p> <p>The Act requires the Inspector to use suitable persons to carry out inspections or reviews. If an inspection or review relates to the detention of a child, the Inspector must engage a person with appropriate expertise in the areas of child trauma and the prevention and identification of child sexual abuse to help the Inspector carry out the review or inspection.</p> <p>The Inspector's focus is to make systemic recommendations about places of detention and improvement of detention services, with a focus on the prevention of harm.</p> <p>The Queensland Ombudsman has been appointed as the Inspector of Detention Services.</p> <p>See below recommendation (15.10).</p>
15.3	Youth justice agencies in each state and territory should review the building and design features of youth detention to identify and address elements that may place children at risk. This should include consideration of how to most effectively use technology,	Accept in principle	Complete	Queensland youth detention centres have upgraded infrastructure with newly built and designed accommodation units. Infrastructure upgrades are ongoing.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	such as closed-circuit television (CCTV) cameras and body-worn cameras, to capture interactions between children and between staff and children without unduly infringing children's privacy.			The full roll-out of body-worn cameras across youth detention centres has been completed. The use of body-worn cameras and closed-circuit television in Queensland youth detention centres are continually being improved in ways that protect young people and maintain a high standard of privacy.
15.4	<p>As part of efforts to mitigate risks of child sexual abuse in the physical environment of youth detention, state and territory governments should review legislation, policy and procedures to ensure:</p> <ol style="list-style-type: none"> a. appropriate and safe placements of children in youth detention, including a risk assessment process before placement decisions that identifies if a child may be vulnerable to child sexual abuse or if a child is displaying harmful sexual behaviours b. children are not placed in adult prisons c. frameworks take into account the importance of children having access to trusted adults, including family, friends and community, in the prevention and disclosure of child sexual abuse and provide for maximum contact between children and trusted adults through visitation, and use of the telephone and audio-visual technology d. best practice processes are in place for strip searches and other authorised physical contact between staff and children, including sufficient safeguards to protect children such as: <ol style="list-style-type: none"> i. adequate communication between staff and the child before, during and after a search is conducted or other physical contact occurs ii. clear protocols detailing when such practices are permitted and how they should be performed. The key 	Accept in principle	Complete	<p>Young people admitted to Queensland youth detention centres are assessed on admission to identify and respond to their immediate needs and risks. These assessments determine suitable accommodation for the young person based on gender identity, age, development and vulnerabilities in accordance with the <i>Youth Justice Regulation 2016</i>.</p> <p>Youth Justice continues to engage the community and ensure young people are connected to family, culture, country and their respective communities while they are in a youth detention centre. Financial assistance and support are available to enable families living remotely to visit young people in detention. During the COVID-19 pandemic, youth detention centres greatly increased access to, and facilitation of, video conferencing facilities to ensure young people remained connected with friends, family and community members.</p> <p>A new behaviour and incident response framework tailored to the needs of the youth detention environment and young people has been implemented. This model places a greater emphasis on communication and de-escalation techniques thereby reducing the need for physical techniques.</p> <p>Youth Justice Speech-Language Pathologists have translated resources and information for young people into Easy English documents to promote accessibility for young people.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>elements of these protocols should be provided to children in an accessible format</p> <p>iii. staff training that highlights the potential for strip searching to re-traumatise children who have been sexually abused and how the misuse of search powers can lead to sexual humiliation or abuse.</p> <p>State and territory governments should consider implementing strategies for detecting contraband, such as risk assessments or body scanners, to minimise the need for strip searching children.</p>			<p>A new 'Communicating with Young People' training module for operational and frontline service delivery staff has been developed. The training includes information about young people with disabilities and mental health concerns and understanding communication barriers, contexts and behaviours.</p> <p>The use of less invasive search practices continues in accordance with Youth Justice's ongoing commitment to trauma informed practice and promoting human rights in accordance with the <i>Human Rights Act 2019</i> (Qld).</p>
15.5	<p>State and territory governments should consider further strategies that provide for the cultural safety of Aboriginal and Torres Strait Islander children in youth detention including:</p> <p>a. recruiting and developing Aboriginal and Torres Strait Islander staff to work at all levels of the youth justice system, including in key roles in complaint handling systems</p> <p>b. providing access to interpreters, particularly with respect to induction and education programs, and accessing internal and external complaint handling systems</p> <p>c. ensuring that all youth detention facilities have culturally appropriate policies and procedures that facilitate connection with family, community and culture, and reflect an understanding of, and respect for, cultural practices in different clan groups</p> <p>d. employing, training and professionally developing culturally competent staff who understand the particular needs and experiences of Aboriginal and Torres Strait Islander children, including the specific barriers that Aboriginal and Torres Strait Islander children face in disclosing sexual abuse.</p>	Accept in principle	Complete	<p>Youth Justice has launched a national recruitment campaign to attract frontline staff, specifically focusing on sustained workforce growth for the Cleveland Youth Detention Centre in Townsville. This campaign and other relevant initiatives will specifically seek to increase the recruitment and retention of Aboriginal and Torres Strait Islander staff.</p> <p>In accordance with the <i>Youth Justice Act 1992</i> (Qld), youth detention centres provide interpreters by engaging the culturally and linguistically diverse workforce to provide language and cultural protocol interpretation assistance and support.</p> <p>Youth Justice continues to update policies and procedures to reflect culturally safe and respectful practices when working with young people in Queensland youth detention centres and understanding the significance of Aboriginal and Torres Strait Islander young people's connection to family, culture, country, waters and seas.</p> <p>Cultural units and cultural staff provide cultural capability and competency training to all frontline service delivery staff in youth detention centres.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
15.6	All staff should receive appropriate training on the needs and experiences of children with disability, mental health problems, and alcohol or other drug problems, and children from culturally and linguistically diverse backgrounds that highlights the barriers these children may face in disclosing sexual abuse.	Accept in principle	Complete	<p>Youth Justice Speech-Language Pathology services have developed a training module 'Communicating with Young People' that includes working with young people from culturally and linguistically diverse backgrounds, young people with a disability and differences between Aboriginal and Australian English.</p> <p>Youth Justice Psychologists have developed mental health training for frontline service delivery staff. This includes:</p> <ul style="list-style-type: none"> • how mental health can impact effective communication and what staff may need to consider when working with young people who have complex and ongoing mental health needs; and • the impacts of drugs and alcohol on young people's development and how substance abuse can be used to self-medicate in response to childhood trauma.
15.7	State and territory governments should improve access to therapeutic treatment for survivors of child sexual abuse who are in youth detention, including by assessing their advocacy, support and therapeutic treatment needs and referring them to appropriate services, and ensure they are linked to ongoing treatment when they leave detention.	Accept in principle	Complete	Multi-disciplinary teams provide therapeutic and psychological assessment and intervention to young people in youth detention centres. Acute support is provided by clinical psychologists, Aboriginal allied health workers and psychiatrists. Young people are assessed and proactively referred to appropriate services to support their continuity of care when exiting a youth detention centre.
15.8	State and territory governments should ensure that all staff in youth detention are provided with training and ongoing professional development in trauma-informed care to assist them to meet the needs of children in youth detention, including children at risk of sexual abuse and children with harmful sexual behaviours.	Accept in principle	Complete	Trauma Informed practice training developed in collaboration with Evolve Therapeutic Services continues to form part of the mandatory training curriculum for youth detention centre staff.
15.9	State and territory governments should review the current internal and external complaint handling systems concerning youth detention to ensure they are capable of effectively dealing with complaints of child sexual abuse, including so that:	Accept in principle	Complete	Youth Justice has comprehensive practices in place to ensure young people have multiple opportunities and avenues to make complaints. Each youth detention centre

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. children can easily access child-appropriate information about internal complaint processes and external oversight bodies that may receive or refer children’s complaints, such as visitor’s schemes, ombudsmen, inspectors of custodial services, and children’s commissioners or guardians b. children have confidential and unrestricted access to external oversight bodies c. staff involved in managing complaints both internally and externally include Aboriginal and Torres Strait Islander peoples and professionals qualified to provide trauma-informed care d. complaint handling systems are accessible for children with literacy difficulties or who speak English as a second language e. children are regularly consulted about the effectiveness of complaint handling systems and systems are continually improved. 			<p>has a designated client relations officer to help manage complaints in a timely and appropriate manner.</p> <p>OPG receives regular information about allegations of harm and complaints relating to young people in youth detention centres. OPG Community Visitors visit youth detention centres each week and advocate for the best interests of young people. Young people can access a locked letterbox in their accommodation section to post confidential mail and raise complaints directly with the OPG.</p> <p>Young people in youth detention centres have access to phones that can auto-dial external complaint and oversight hotlines directly.</p> <p>Youth Justice Speech-Language Pathologists have developed information and awareness guides in easy-read English to support young people through the complaints process and informing them of their rights to make a complaint.</p>
15.10	<p>State and territory governments should ensure they have an independent oversight body with the appropriate visitation, complaint handling and reporting powers, to provide oversight of youth detention. This could include an appropriately funded and independent Inspector of Custodial Services or similar body. New and existing bodies should have expertise in child-trauma, and the prevention and identification of child sexual abuse.</p>	<p>Accept in principle</p>	<p>Complete</p>	<p>The <i>Inspector of Detention Services Act 2022</i> (Qld) (the Act) was passed in the Legislative Assembly on 30 August 2022 and received assented on 7 September 2022.</p> <p>Section 9(6)-(7) of the Act provides that where the Inspector is conducting a review or inspection in relation to the detention of a child, the Inspector must arrange for a person with appropriate expertise in the areas of child trauma and prevention and identification of child sexual abuse to help carry out the review or inspection.</p> <p>Further, section 38 of the Act provides that the Inspector may consult with, or engage, professional and other people to help in the performance of the Inspector’s function. For example, the Inspector may wish to engage consultants that have expertise in child trauma and the prevention and</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
				identification of child sexual abuse during its annual mandated inspections, examinations, or reviews of youth detention centres.
15.11	The Department of Immigration and Border Protection should publicly report within 12 months on how it has implemented the Child Protection Panel's recommendations.	Accept in principle	N/A	Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports .
15.12	<p>a. The Australian Government should establish a mechanism to regularly audit the implementation of the Child Safe Standards in immigration detention by staff, contractors and agents of the Department of Immigration and Border Protection. The outcomes of each audit should be publicly reported.</p> <p>b. The Department of Immigration and Border Protection should contractually require its service providers to comply with the Child Safe Standards identified by the Royal Commission, as applied to immigration detention.</p>	Accept in principle	N/A	See above recommendation (15.11).
15.13	The Department of Immigration and Border Protection should identify the scope and nature of the need for support services for victims in immigration detention. The Department of Immigration and Border Protection should ensure that appropriate therapeutic and other specialist and support services are funded to meet the identified needs of victims in immigration detention and ensure they are linked to ongoing treatment when they leave detention.	Accept in principle	N/A	See above recommendation (15.11).
15.14	The Department of Immigration and Border Protection should designate appropriately qualified child safety officers for each place in which children are detained. These officers should assist and build the capacity of staff and service providers at the local level to implement the Child Safe Standards.	Accept in principle	N/A	See above recommendation (15.11).

No.	Recommendation	Queensland Government position	Status	Implementation summary
15.15	The Department of Immigration and Border Protection should implement an independent visitors program in immigration detention.	Accept in principle	N/A	See above recommendation (15.11).

Volume 16 – Religious institutions

No.	Recommendation	Queensland Government position	Status	Implementation summary
16.1	The Anglican Church of Australia should adopt a uniform episcopal standards framework that ensures that bishops and former bishops are accountable to an appropriate authority or body in relation to their response to complaints of child sexual abuse.	Noted	N/A	Annual progress reports from participating institutions detailing their implementation of relevant recommendations are available on the National Office for Child Safety webpage here: https://childsafety.pmc.gov.au/what-we-do/reporting/ngo-reports .
16.2	The Anglican Church of Australia should adopt a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse, which expressly covers: <ul style="list-style-type: none"> a. members of professional standards bodies b. members of diocesan councils (otherwise known as bishop-in-council or standing committee of synod) c. members of the Standing Committee of the General Synod d. chancellors and legal advisers for dioceses. 	Noted	N/A	See above recommendation (16.1).
16.3	The Anglican Church of Australia should amend Being together and any other statement of expectations or code of conduct for lay members of the Anglican Church to expressly refer to the importance of child safety.	Noted	N/A	See above recommendation (16.1).
16.4	The Anglican Church of Australia should develop a national approach to the selection, screening and training of candidates for ordination in the Anglican Church.	Noted	N/A	See above recommendation (16.1).
16.5	The Anglican Church Australia should develop, and each diocese should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, clergy, religious and lay personnel): <ul style="list-style-type: none"> a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry and child safety. 	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. undertake mandatory professional/pastoral supervision c. undergo regular performance appraisals 			
16.6	The bishop of each Catholic Church diocese in Australia should ensure that parish priests are not the employers of principals and teachers in Catholic schools.	Noted	N/A	See above recommendation (16.1).
16.7	The Australian Catholic Bishops Conference should conduct a national review of the governance and management structures of dioceses and parishes, including in relation to issues of transparency, accountability, consultation and the participation of lay men and women. This review should draw from the approaches to governance of Catholic health, community services and education agencies.	Noted	N/A	See above recommendation (16.1).
16.8	<p>In the interests of child safety and improved institutional responses to child sexual abuse, the Australian Catholic Bishops Conference should request the Holy See to:</p> <ul style="list-style-type: none"> a. publish criteria for the selection of bishops, including relating to the promotion of child safety b. establish a transparent process for appointing bishops which includes direct participation of lay people. 	Noted	N/A	See above recommendation (16.1).
16.9	<p>The Australian Catholic Bishops Conference should request the Holy See to amend the 1983 Code of Canon Law to create a new canon or series of canons specifically relating to child sexual abuse, as follows:</p> <ul style="list-style-type: none"> a. All delicts relating to child sexual abuse should be articulated as canonical crimes against the child, not as moral failings or as breaches of the 'special obligation' of clerics and religious to observe celibacy. b. All delicts relating to child sexual abuse should apply to any person holding a 'dignity, office or responsibility in the 	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>Church' regardless of whether they are ordained or not ordained.</p> <p>c. In relation to the acquisition, possession, or distribution of pornographic images, the delict (currently contained in Article 6 §2 1° of the revised 2010 norms attached to the motu proprio <i>Sacramentorum sanctitatis tutela</i>) should be amended to refer to minors under the age of 18, not minors under the age of 14.</p>			
16.10	The Australian Catholic Bishops Conference should request the Holy See to amend canon law so that the pontifical secret does not apply to any aspect of allegations or canonical disciplinary processes relating to child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.11	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to ensure that the 'pastoral approach' is not an essential precondition to the commencement of canonical action relating to child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.12	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the time limit (prescription) for commencement of canonical actions relating to child sexual abuse. This amendment should apply retrospectively.	Noted	N/A	See above recommendation (16.1).
16.13	The Australian Catholic Bishops Conference should request the Holy See to amend the 'imputability' test in canon law so that a diagnosis of paedophilia is not relevant to the prosecution of or penalty for a canonical offence relating to child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.14	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to give effect to Recommendations 16.55 and 16.56.	Noted	N/A	See above recommendation (16.1).
16.15	The Australian Catholic Bishops Conference and Catholic Religious Australia, in consultation with the Holy See, should consider establishing an Australian tribunal for trying canonical disciplinary	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	cases against clergy, whose decisions could be appealed to the Apostolic Signatura in the usual way.			
16.16	The Australian Catholic Bishops Conference should request the Holy See to introduce measures to ensure that Vatican Congregations and canonical appeal courts always publish decisions in disciplinary matters relating to child sexual abuse, and provide written reasons for their decisions. Publication should occur in a timely manner. In some cases, it may be appropriate to suppress information that might lead to the identification of a victim.	Noted	N/A	See above recommendation (16.1).
16.17	The Australian Catholic Bishops Conference should request the Holy See to amend canon law to remove the requirement to destroy documents relating to canonical criminal cases in matters of morals, where the accused cleric has died or ten years have elapsed from the condemnatory sentence. In order to allow for delayed disclosure of abuse by victims and to take account of the limitation periods for civil actions for child sexual abuse, the minimum requirement for retention of records in the secret archives should be at least 45 years.	Noted	N/A	See above recommendation (16.1).
16.18	The Australian Catholic Bishops Conference should request the Holy See to consider introducing voluntary celibacy for diocesan clergy.	Noted	N/A	See above recommendation (16.1).
16.19	All Catholic religious institutes in Australia, in consultation with their international leadership and the Holy See as required, should implement measures to address the risks of harm to children and the potential psychological and sexual dysfunction associated with a celibate rule of religious life. This should include consideration of whether and how existing models of religious life could be modified to facilitate alternative forms of association, shorter terms of celibate commitment, and/or voluntary celibacy (where that is consistent with the form of association that has been chosen).	Noted	N/A	See above recommendation (16.1).
16.20	In order to promote healthy lives for those who choose to be celibate, the Australian Catholic Bishops Conference and all	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	Catholic religious institutes in Australia should further develop, regularly evaluate and continually improve, their processes for selecting, screening and training of candidates for the clergy and religious life, and their processes of ongoing formation, support and supervision of clergy and religious.			
16.21	The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a national protocol for screening candidates before and during seminary or religious formation, as well as before ordination or the profession of religious vows.	Noted	N/A	See above recommendation (16.1).
16.22	<p>The Australian Catholic Bishops Conference and Catholic Religious Australia should establish a mechanism to ensure that diocesan bishops and religious superiors draw upon broad-ranging professional advice in their decision-making, including from staff from seminaries or houses of formation, psychologists, senior clergy and religious, and lay people, in relation to the admission of individuals to:</p> <ul style="list-style-type: none"> a. seminaries and houses of religious formation b. ordination and/or profession of vows. 	Noted	N/A	See above recommendation (16.1).
16.23	<p>In relation to guideline documents for the formation of priests and religious:</p> <ul style="list-style-type: none"> a. The Australian Catholic Bishops Conference should review and revise the <i>Ratio nationalis institutionis sacerdotalis: Programme for priestly formation</i> (current version December 2015), and all other guideline documents relating to the formation of priests, permanent deacons, and those in pastoral ministry, to explicitly address the issue of child sexual abuse by clergy and best practice in relation to its prevention. b. All Catholic religious institutes in Australia should review and revise their particular norms and guideline documents relating to the formation of priests, religious brothers, and 	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	religious sisters, to explicitly address the issue of child sexual abuse and best practice in relation to its prevention.			
16.24	The Australian Catholic Bishops Conference and Catholic Religious Australia should conduct a national review of current models of initial formation to ensure that they promote pastoral effectiveness, (including in relation to child safety and pastoral responses to victims and survivors) and protect against the development of clericalist attitudes.	Noted	N/A	See above recommendation (16.1).
16.25	<p>The Australian Catholic Bishops Conference and Catholic Religious Australia should develop, and each diocese and religious institute should implement mandatory national standards to ensure that all people in religious or pastoral ministry (bishops, provincials, clergy, religious, and lay personnel):</p> <ul style="list-style-type: none"> a. undertake mandatory, regular professional development, compulsory components being professional responsibility and boundaries, ethics in ministry, and child safety b. undertake mandatory professional/pastoral supervision c. undergo regular performance appraisals. 	Noted	N/A	See above recommendation (16.1).
16.26	<p>The Australian Catholic Bishops Conference should consult with the Holy See, and make public any advice received, in order to clarify whether:</p> <ul style="list-style-type: none"> a. information received from a child during the sacrament of reconciliation that they have been sexually abused is covered by the seal of confession b. if a person confesses during the sacrament of reconciliation to perpetrating child sexual abuse, absolution can and should be withheld until they report themselves to civil authorities. 	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
16.27	The Jehovah's Witness organisation should abandon its application of the two-witness rule in cases involving complaints of child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.28	The Jehovah's Witness organisation should revise its policies so that women are involved in processes related to investigating and determining allegations of child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.29	The Jehovah's Witness organisation should no longer require its members to shun those who disassociate from the organisation in cases where the reason for disassociation is related to a person being a victim of child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.30	All Jewish institutions in Australia should ensure that their complaint handling policies explicitly state that the halachic concepts of <i>mesirah</i> , <i>moser</i> and <i>loshon horo</i> do not apply to the communication and reporting of allegations of child sexual abuse to police and other civil authorities.	Noted	N/A	See above recommendation (16.1).
16.31	All institutions that provide activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children, should implement the 10 Child Safe Standards identified by the Royal Commission.	Noted	N/A	See above recommendation (16.1).
16.32	Religious organisations should adopt the Royal Commission's 10 Child Safe Standards as nationally mandated standards for each of their affiliated institutions.	Noted	N/A	See above recommendation (16.1).
16.33	Religious organisations should drive a consistent approach to the implementation of the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	Noted	N/A	See above recommendation (16.1).
16.34	Religious organisations should work closely with relevant state and territory oversight bodies to support the implementation of and compliance with the Royal Commission's 10 Child Safe Standards in each of their affiliated institutions.	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
16.35	Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.	Noted	N/A	See above recommendation (16.1).
16.36	Consistent with Child Safe Standard 1, each religious institution in Australia should ensure that its religious leaders are provided with leadership training both pre- and post-appointment, including in relation to the promotion of child safety.	Noted	N/A	See above recommendation (16.1).
16.37	Consistent with Child Safe Standard 1, leaders of religious institutions should ensure that there are mechanisms through which they receive advice from individuals with relevant professional expertise on all matters relating to child sexual abuse and child safety. This should include in relation to prevention, policies and procedures and complaint handling. These mechanisms should facilitate advice from people with a variety of professional backgrounds and include lay men and women.	Noted	N/A	See above recommendation (16.1).
16.38	Consistent with Child Safe Standard 1, each religious institution should ensure that religious leaders are accountable to an appropriate authority or body, such as a board of management or council, for the decisions they make with respect to child safety.	Noted	N/A	See above recommendation (16.1).
16.39	Consistent with Child Safe Standard 1, each religious institution should have a policy relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child sexual abuse. The policy should cover all individuals who have a role in responding to complaints of child sexual abuse.	Noted	N/A	See above recommendation (16.1).
16.40	Consistent with Child Safe Standard 2, wherever a religious institution has children in its care, those children should be provided with age-appropriate prevention education that aims to increase their knowledge of child sexual abuse and build practical skills to assist in strengthening self-protective skills and strategies.	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	Prevention education in religious institutions should specifically address the power and status of people in religious ministry and educate children that no one has a right to invade their privacy and make them feel unsafe.			
16.41	Consistent with Child Safe Standard 3, each religious institution should make provision for family and community involvement by publishing all policies relevant to child safety on its website, providing opportunities for comment on its approach to child safety, and seeking periodic feedback about the effectiveness of its approach to child safety.	Noted	N/A	See above recommendation (16.1).
16.42	Consistent with Child Safe Standard 5, each religious institution should require that candidates for religious ministry undergo external psychological testing, including psychosexual assessment, for the purposes of determining their suitability to be a person in religious ministry and to undertake work involving children.	Noted	N/A	See above recommendation (16.1).
16.43	<p>Each religious institution should ensure that candidates for religious ministry undertake minimum training on child safety and related matters, including training that:</p> <ul style="list-style-type: none"> a. equips candidates with an understanding of the Royal Commission's 10 Child Safe Standards b. educates candidates on: <ul style="list-style-type: none"> i. professional responsibility and boundaries, ethics in ministry and child safety ii. policies regarding appropriate responses to allegations or complaints of child sexual abuse, and how to implement these policies iii. how to work with children, including childhood development 	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	iv. identifying and understanding the nature, indicators and impacts of child sexual abuse.			
16.44	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, are subject to effective management and oversight and undertake annual performance appraisals.	Noted	N/A	See above recommendation (16.1).
16.45	Consistent with Child Safe Standard 5, each religious institution should ensure that all people in religious or pastoral ministry, including religious leaders, have professional supervision with a trained professional or pastoral supervisor who has a degree of independence from the institution within which the person is in ministry.	Noted	N/A	See above recommendation (16.1).
16.46	Religious institutions which receive people from overseas to work in religious or pastoral ministry, or otherwise within their institution, should have targeted programs for the screening, initial training and professional supervision and development of those people. These programs should include material covering professional responsibility and boundaries, ethics in ministry and child safety.	Noted	N/A	See above recommendation (16.1).
16.47	Consistent with Child Safe Standard 7, each religious institution should require that all people in religious or pastoral ministry, including religious leaders, undertake regular training on the institution's child safe policies and procedures. They should also be provided with opportunities for external training on best practice approaches to child safety.	Noted	N/A	See above recommendation (16.1).
16.48	Religious institutions which have a rite of religious confession for children should implement a policy that requires the rite only be conducted in an open space within the clear line of sight of another adult. The policy should specify that, if another adult is not available, the rite of religious confession for the child should not be performed.	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
16.49	Codes of conduct in religious institutions should explicitly and equally apply to people in religious ministry and to lay people.	Noted	N/A	See above recommendation (16.1).
16.50	<p>Consistent with Child Safe Standard 7, each religious institution should require all people in religious ministry, leaders, members of boards, councils and other governing bodies, employees, relevant contractors and volunteers to undergo initial and periodic training on its code of conduct. This training should include:</p> <ul style="list-style-type: none"> a. what kinds of allegations or complaints relating to child sexual abuse should be reported and to whom b. identifying inappropriate behaviour which may be a precursor to abuse, including grooming c. recognising physical and behavioural indicators of child sexual abuse d. that all complaints relating to child sexual abuse must be taken seriously, regardless of the perceived severity of the behaviour. 	Noted	N/A	See above recommendation (16.1).
16.51	All religious institutions' complaint handling policies should require that, upon receiving a complaint of child sexual abuse, an initial risk assessment is conducted to identify and minimise any risks to children.	Noted	N/A	See above recommendation (16.1).
16.52	All religious institutions' complaint handling policies should require that, if a complaint of child sexual abuse against a person in religious ministry is plausible, and there is a risk that person may come into contact with children in the course of their ministry, the person be stood down from ministry while the complaint is investigated.	Noted	N/A	See above recommendation (16.1).
16.53	The standard of proof that a religious institution should apply when deciding whether a complaint of child sexual abuse has been	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	substantiated is the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> .			
16.54	Religious institutions should apply the same standards for investigating complaints of child sexual abuse whether or not the subject of the complaint is a person in religious ministry.	Noted	N/A	See above recommendation (16.1).
16.55	Any person in religious ministry who is the subject of a complaint of child sexual abuse which is substantiated on the balance of probabilities, having regard to the principles in <i>Briginshaw v Briginshaw</i> , or who is convicted of an offence relating to child sexual abuse, should be permanently removed from ministry. Religious institutions should also take all necessary steps to effectively prohibit the person from in any way holding himself or herself out as being a person with religious authority.	Noted	N/A	See above recommendation (16.1).
16.56	Any person in religious ministry who is convicted of an offence relating to child sexual abuse should: <ul style="list-style-type: none"> a. in the case of Catholic priests and religious, be dismissed from the priesthood and/or dispensed from his or her vows as a religious b. in the case of Anglican clergy, be deposed from holy orders c. in the case of Uniting Church ministers, have his or her recognition as a minister withdrawn d. in the case of an ordained person in any other religious denomination that has a concept of ordination, holy orders and/or vows, be dismissed, deposed or otherwise effectively have their religious status removed. 	Noted	N/A	See above recommendation (16.1).
16.57	Where a religious institution becomes aware that any person attending any of its religious services or activities is the subject of a substantiated complaint of child sexual abuse, or has been convicted of an offence relating to child sexual abuse, the religious institution should:	Noted	N/A	See above recommendation (16.1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. assess the level of risk posed to children by that perpetrator's ongoing involvement in the religious community b. take appropriate steps to manage that risk. 			
16.58	Each religious organisation should consider establishing a national register which records limited but sufficient information to assist affiliated institutions identify and respond to any risks to children that may be posed by people in religious or pastoral ministry.	Noted	N/A	See above recommendation (16.1).

Volume 17 – Beyond the Royal Commission

No.	Recommendation	Queensland Government position	Status	Implementation summary
17.1	The Australian Government and state and territory governments should each issue a formal response to this Final Report within six months of it being tabled, indicating whether our recommendations are accepted, accepted in principle, rejected or subject to further consideration.	Accept	Complete	The Premier and then Minister for Trade tabled the Queensland Government response to the Royal Commission into Institutional Responses to Child Sexual Abuse in the Legislative Assembly on 15 June 2018.
17.2	The Australian Government and state and territory government should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations made in this Final Report and its earlier <i>Working with Children Checks, Redress and civil litigation</i> and <i>Criminal justice</i> reports, through five consecutive annual reports tabled before their respective parliaments.	Accept	Complete	The Queensland Government has tabled five Queensland Government annual progress reports in the Legislative Assembly on its implementation of recommendations by the Royal Commission into Institutional Responses to Child Sexual Abuse.
17.3	Major institutions and peak bodies of institutions that engage in child-related work should, beginning 12 months after this Final Report is tabled, report on their implementation of the Royal Commission's recommendations to the National Office for Child Safety through five consecutive annual reports. The National Office for Child Safety should make these reports publicly available. At a minimum, the institutions reporting should include those that were the subject of the Royal Commission's institutional review hearings held from 5 December 2016 to 10 March 2017.	Accept in principle	N/A	Implementation of this recommendation is led by the Australian Government. Progress of implementation is reported within Australian Government Annual Progress Reports, available here: https://www.childabuseroyalcommissionresponse.gov.au/annual-progress-reporting/australian-government-reports .
17.4	The Australian Government should initiate a review to be conducted 10 years after the tabling of this Final Report. This review should: <ul style="list-style-type: none"> a. establish the extent to which the Royal Commission's recommendations have been implemented 10 years after the tabling of the Final Report b. examine the extent to which the measures taken in response to the Royal Commission have been effective in 	Accept in principle	N/A	See above recommendation (17.3).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>preventing child sexual abuse, improving the responses of institutions to child sexual abuse and ensuring that victims and survivors of child sexual abuse obtain justice, treatment and support</p> <p>c. advise on what further steps should be taken by governments and institutions to ensure continuing improvement in policy and service delivery in relation to child sexual abuse in institutional contexts.</p>			
17.5	The Australian Government should host and maintain the Royal Commission website for the duration of the national redress scheme for victims and survivors of institutional child sexual abuse.	Accept in principle	N/A	See above recommendation (17.3).
17.6	A national memorial should be commissioned by the Australian Government for victims and survivors of child sexual abuse in institutional contexts. Victims and survivors should be consulted on the memorial design and it should be located in Canberra.	Accept in principle	N/A	See above recommendation (17.3).

Queensland Government fifth annual progress report

Royal Commission into Institutional Responses to Child Sexual Abuse

December 2022

Working with Children Checks report

Recommendation by recommendation implementation
status

Glossary

Key terms	Definition
Blue Card Review	Keeping Queensland's children more than safe: Review of the blue card system report (QFCC, 2017)
COAG	Council of Australian Governments (replaced by National Federation Reform Council on 2 June 2020)
National Standards	National Standards for Working with Children Checks
NRS	(Working with Children Check) National Reference System
QFCC	Queensland Family and Child Commission
WWC	Working with Children
WWCC	Working with Children Check (blue card)
WWC Act	<i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>

Working with Children Checks Report

No.	Recommendation	Queensland Government position	Status	Implementation summary
1	<p>State and territory governments should:</p> <ul style="list-style-type: none"> a. amend WWCC laws to implement the standards identified in this report b. once standards implemented, obtain agreement from the Council of Australian Governments (COAG), or a relevant ministerial council, before deviating from or altering the standards, adopting changes across all jurisdictions c. within 18 months from the publication of this report, amend their WWCC law to enable clearances from other jurisdictions to be recognised and accepted. 	Accept in principle	Ongoing	<p>On 10 December 2021, National Cabinet agreed that the Commonwealth Government would work together with states and territories to improve the national consistency of WWCCs. This work is part of a plan to reduce overlapping regulations.</p> <p>The National Office for Child Safety within the Commonwealth Government Attorney-General's Department is leading this work on behalf of the Commonwealth Government through the Information Sharing Working Group under the <i>National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030</i>. The Information Sharing Working Group held its first meeting on 4 April 2022. The Queensland Government is continuing to actively participate in these discussions.</p>
2	<p>The South Australian Government should, within 12 months of the publication of this report, replace criminal history assessments with a WWC scheme that incorporates the standards set out in this report.</p>	Noted	N/A	<p>Implementation of this recommendation is led by the South Australian Government. Progress of implementation is reported within South Australian Government Annual Progress Reports, available here: https://www.childprotection.sa.gov.au/department/royal-commissions-and-reviews/royal-commission-institutional-responses-child-sexual-abuse.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
3	<p>The Commonwealth Government should, within 12 months of the publication of this report:</p> <ul style="list-style-type: none"> a. Facilitate a national model for WWCCs by: <ul style="list-style-type: none"> i. establishing a centralised database, operated by CrimTrac, that is readily accessible to all jurisdictions to record WWC decisions ii. together with state and territory governments, identifying consistent terminology to capture key Working With Children (WWC) decisions (for example, refusal, cancellation, suspension and grant) for recording into the centralised database iii. enhancing CrimTrac's capacity to continuously monitor WWCC cardholders' national criminal history records. b. Explore avenues to make international records more accessible for the purposes of WWCCs c. Identify and require all Commonwealth Government personnel, including contractors, undertaking child-related work, as defined by the child-related work standards set out in this report, to obtain WWCC. 	Accept in principle	Ongoing	<p>See above recommendation (1).</p> <p>Also, in May 2022, the Queensland Legislative Assembly passed the Child Protection Reform and Other Legislation Amendment Bill 2021 to amend the WWC Act to facilitate Queensland's participation in the WWCC NRS, a centralised database that is readily accessible to all jurisdictions to record WWCC decisions. On 14 December 2022, Queensland onboarded to the NRS.</p>
4	<p>The Commonwealth, state and territory governments should, within 12 months of the publication of this report:</p> <ul style="list-style-type: none"> a. Agree on a set of standards or guidelines to enhance the accurate and timely recording of information by state and territory police into CrimTrac's system b. Review the information agreed to be exchanged under the National Exchange of Criminal History Information for People Working with Children (ECHIPWC), and establish a set of definitions for the key terms used to describe the different types of criminal history records so they are consistent across the jurisdictions (these key terms include pending 	Accept in principle	Complete	<p>Implementation of this recommendation has been jointly led by the Commonwealth Government. Progress of implementation is reported within the Commonwealth Government response to the WWCC Report available here: https://www.childabuseroyalcommissionresponse.gov.au/site/default/files/2019-03/australian-government-response-part-two-response.pdf.</p> <p>As noted in the 2018 Queensland Government response, Commonwealth, state and territory governments have reviewed the information exchanged under the <i>Intergovernmental Agreement for a National Exchange of</i></p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>charges, non-conviction charges and information about the circumstances of the offence)</p> <p>c. Take immediate action to record into CrimTrac's system historical criminal records that are in paper form or on microfilm and which are not currently identified by CrimTrac's initial database search</p> <p>d. Once these historical criminal history records are entered into CrimTrac's system by all jurisdictions, check all WWC cardholders against them through the expanded continuous monitoring process.</p>			<p><i>Criminal History Information for People Working With Children</i> and are satisfied that the definitions for key terms used to describe different types of criminal history records are consistent across jurisdictions.</p>
5	<p>State and territory governments should amend WWCC laws to incorporate a consistent and simplified definition of child-related work, in line with the recommendations below.</p>	<p>Accept in principle</p>	<p>Ongoing</p>	<p>Issues in relation to the scope of who requires a blue card, and the simplification of screening requirements will be considered as part of the Queensland Government's ongoing implementation of recommendations arising from the QFCC Blue Card Review.</p>
6	<p>State and territory governments should amend WWCC laws to provide that work must involve contact between an adult and one or more children to qualify as child-related work.</p>	<p>Accept in principle</p>	<p>Ongoing</p>	<p>See above recommendation (5).</p>
7	<p>State and territory governments should:</p> <p>a. amend their WWCC laws to provide that the phrase 'contact with children' refers to physical contact, face-to-face contact, oral communication, written communication or electronic communication</p> <p>b. through COAG, or a relevant ministerial council, agree on standard definitions for each kind of contact and amend their WWCC laws to incorporate those definitions.</p>	<p>Accept in principle</p>	<p>Ongoing</p>	<p>See above recommendation (5).</p>
8	<p>State and territory governments should:</p>	<p>Accept in principle</p>	<p>Ongoing</p>	<p>See above recommendation (5).</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. amend their WWCC laws to provide that contact with children must be a usual part of, and more than incidental to, the child-related work. b. through COAG, or a relevant ministerial council, agree on standard definitions for the phrases 'usual part of work' and 'more than incidental to the work', and amend their WWCC laws to incorporate those definitions. 			
9	State and territory governments should amend their WWCC laws to specify that it is irrelevant whether the contact with children is supervised or unsupervised.	Accept	Complete	The Queensland Government notes that this is currently the position under Queensland's WWCC legislation.
10	State and territory governments should amend their WWCC laws to provide that a person is engaged in child-related work if they are engaged in the work in any capacity and whether or not for reward.	Accept	Complete	See above recommendation (9).
11	State and territory governments should amend their WWCC laws to provide that work that is undertaken under an arrangement for a personal or domestic purpose is not child-related, even if it would otherwise be so considered.	Accept in principle	Ongoing	See above recommendation (5).
12	<p>State and territory governments should amend their WWCC laws to:</p> <ul style="list-style-type: none"> a. define the following as child-related work: <ul style="list-style-type: none"> i. accommodation and residential services for children, including overnight excursions or stays ii. activities or services provided by religious leaders, officers or personnel of religious organisations iii. childcare or minding services iv. child protection services, including out-of-home care (OOHC) v. clubs and associations with a significant membership of, or involvement by, children 	Accept in principle	Ongoing	See above recommendation (5).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> vi. coaching or tuition services for children vii. commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions viii. disability services for children ix. education services for children x. health services for children xi. justice and detention services for children, including immigration detention facilities where children are regularly detained xii. transport services for children, including school crossing services xiii. other work or roles that involve contact with children that is a usual part of, and more than incidental to, the work or roles. <ul style="list-style-type: none"> b. require WWCCs for adults residing in the homes of authorised carers of children c. remove all other remaining categories of work or roles. 			
13	State and territory governments, through COAG, or a relevant ministerial council, should agree on standard definitions for each category of child-related work and amend their WWCC laws to incorporate those definitions.	Accept in principle	Ongoing	See above recommendation (1).
14	State and territory governments should amend their WWCC laws to: <ul style="list-style-type: none"> a. exempt: <ul style="list-style-type: none"> i. children under 18 years of age, regardless of their employment status 	For further consideration	Ongoing	See above recommendation (5).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> ii. employers and supervisors of children in a workplace, unless the work is child-related iii. people who engage in child-related work for seven days or fewer in a calendar year, except in respect of overnight excursions or stays iv. people who engage in child-related work in the same capacity as the child v. police officers, including members of the Australian Federal Police vi. parents or guardians who volunteer for services or activities that are usually provided to their children, in respect of that activity, except in respect of: <ul style="list-style-type: none"> a) overnight excursions or stays b) providing services to children with disabilities, where the services involve close, personal contact with those children b. remove all other exemptions and exclusions. c. prohibit people who have been denied a WWCC, and subsequently not granted one, from relying on any exemption. 			
15	State and territory governments, through COAG, or a relevant ministerial council, should agree on standard definitions for each exemption category and amend their WWCC laws to incorporate those definitions.	Accept in principle	Complete	The National Standards sets out a list of exemptions which all jurisdictions have agreed to, including the Queensland Government.
16	State and territory governments should amend their WWCC laws to incorporate a consistent and simplified list of offences, including: <ul style="list-style-type: none"> a. engaging in child-related work without holding, or having applied for, a WWCC 	Accept in principle	Complete	Queensland's WWC Act contains each of these offences. The existing suite of additional offences currently provided for under the WWC Act has been maintained and exceeds that which is recommended by the Royal Commission.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> b. engaging a person in child-related work without them holding, or having applied for, a WWCC c. providing false or misleading information in connection with a WWCC application d. applicants and/or WWCC cardholders failing to notify screening agencies of relevant changes in circumstances e. unauthorised disclosure of information gathered during the course of a WWCC. 			<p>In addition, the <i>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019</i> established the 'No Card, No Start' requirement in Queensland, which requires a person to hold a blue card to commence regulated employment. The requirement came into effect on 31 August 2020.</p>
17	<p>State and territory governments should amend their WWCC laws to include a standard definition of criminal history, for WWCC purposes, comprised of:</p> <ul style="list-style-type: none"> a. convictions, whether or not spent b. findings of guilt that did not result in a conviction being recorded c. charges, regardless of status or outcome, including: <ul style="list-style-type: none"> i. pending charges – that is, charges laid but not finalised ii. charges disposed of by a court, or otherwise, other than by way of conviction (for example, withdrawn, set aside or dismissed) iii. charges that led to acquittals or convictions that were quashed or otherwise over-turned on appeal for all offences, irrespective of whether or not they concern the person's history as an adult or a child and/or relate to offences outside Australia. 	Accept	Complete	See above recommendation (9).
18	Amend WWCC laws to require police services to provide screening agencies with records that meet the definition of criminal history records for WWCC purposes and any other available information relating to the circumstances of such offences.	Accept	Complete	See above recommendation (9).

No.	Recommendation	Queensland Government position	Status	Implementation summary
19	<p>State and territory governments should amend their WWCC laws to:</p> <ul style="list-style-type: none"> a. require that relevant disciplinary and/or misconduct information is checked for all WWCC applicants b. include a standard definition of disciplinary and/or misconduct information that encompasses disciplinary action and/or findings of misconduct where the conduct was against, or involved, a child, irrespective of whether this information arises from reportable conduct schemes or other systems or bodies responsible for disciplinary or misconduct proceedings c. require the bodies responsible for the relevant disciplinary and/or misconduct information to notify their respective screening agencies of relevant disciplinary and/or misconduct information that meets the definition. 	Accept in principle	Ongoing	As part of the Queensland Government's ongoing consideration of the implementation of a reportable conduct scheme, regard will be given to the relationship of this scheme with the blue card system.
20	<p>State and territory governments should amend their WWCC laws to respond to records in the same way, specifically that:</p> <ul style="list-style-type: none"> a. the absence of any relevant criminal history, disciplinary or misconduct information in an applicant's history leads to an automatic grant of a WWCC b. any conviction and/or pending charge in an applicant's criminal history for the following categories of offence leads to an automatic WWCC refusal, provided the applicant was at least 18 years old at the time of the offence: <ul style="list-style-type: none"> i. murder of a child ii. manslaughter of a child iii. indecent or sexual assault of a child iv. child pornography-related offences v. incest where the victim was a child 	Accept in principle	Ongoing	The blue card decision-making framework will be reviewed to ensure it is robust and fit for purpose as part of the Queensland Government's ongoing implementation of recommendations from the QFCC's Blue Card Review.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> vi. abduction or kidnapping of a child vii. animal-related sexual offences. c. all other relevant criminal, disciplinary or misconduct information should trigger an assessment of the person's suitability for a WWCC (consistent with the risk assessment factors set out below). 			
21	<p>State and territory governments should amend their WWCC laws to specify that relevant criminal records for the purposes of recommendation 20(c) include but are not limited to the following:</p> <ul style="list-style-type: none"> a. juvenile records and/or non-conviction charges for the offence categories specified in recommendation 20(b) b. sexual offences, regardless of whether the victim was a child and including offences not already covered in recommendation 20(b) c. violent offences, including assaults, arson and other fire-related offences, regardless of whether the victim was a child and including offences not already covered in recommendation 20(b) d. child welfare offences e. offences involving cruelty to animals f. drug offences. 	Accept	Complete	See above recommendation (9).
22	<p>The Commonwealth Government, through COAG, or a relevant ministerial council, should take a lead role in identifying the specific criminal offences that fall within the categories specified in recommendations 20(b) and 21.</p>	Accept in principle	Ongoing	See above recommendation (1).
23	<p>State and territory governments should amend their WWCC laws to specify that the criteria for assessing risks to children include:</p>	Accept	Ongoing	See above recommendation (20).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. the nature, gravity and circumstances of the offence and/or misconduct, and how this is relevant to children or child-related work b. the length of time that has passed since the offence and/or misconduct occurred c. the age of the child d. the age difference between the person and the child e. the person's criminal and/or disciplinary history, including whether there is a pattern of concerning conduct f. all other relevant circumstances in respect of their history and the impact on their suitability to be engaged in child-related work. 			
24	Amend WWCC laws to expressly provide that, in weighing up the risk assessment criteria, the paramount consideration must always be the best interests of children, having regard to their safety and protection.	Accept	Complete	See above recommendation (9).
25	<p>State and territory governments should amend their WWCC laws to permit WWCC applicants to begin child-related work before the outcome of their application is determined, provided the safeguards listed below are introduced.</p> <p>Applicants</p> <ul style="list-style-type: none"> a. applicants must submit a WWCC application to the appropriate screening agency before beginning child-related work and not withdraw the application while engaging in child-related work b. applicants must provide a WWCC application receipt to their employers before beginning child-related work <p>Other safeguards</p>	Noted	Complete	<p>The <i>Working with Children (Risk Management and Screening) and Other Legislation Amendment Act 2019</i> established the 'No Card, No Start' requirement in Queensland, which requires a person to hold a blue card to commence regulated employment. The requirement came into effect on 31 August 2020.</p> <p>The Queensland Government's approach exceeds that which is recommended by the Royal Commission.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. employers must cite application receipts, record application numbers and verify applications with the relevant screening agency d. there must be capacity to impose interim bars on applicants where records are identified that may indicate a risk and require further assessment. 			
26	State and territory governments should process WWCC applications online WWCC processing system (if one does not already exist).	Accept in principle	Complete	<p>Applications for blue cards or exemptions can be submitted online.</p> <p>Between 31 August 2020 and 30 June 2022, 437,381 blue card and exemption applications under the WWC Act have been processed online.</p>
27	Process WWCC applications within five working days, and no longer than 21 working days for more complex cases.	Accept in principle	Complete	<p>Processing timeframes continue to meet benchmarks set by the Royal Commission.</p> <p>Between 31 August 2020 and 30 June 2022, the average processing time for online applications made by people without any form of assessable information was 2.41 business days. The average processing time for online applications made by people with less complex police information was 13.45 business days.</p>
28	<p>All state and territory governments should amend their WWCC laws to specify that:</p> <ul style="list-style-type: none"> a. WWCC decisions are based on the circumstances of the individual and are detached from the employer the person is seeking to work for, or the role or organisation the person is seeking to work in b. the outcome of a WWCC is either that a clearance is issued or it is not; there should be no conditional or different types of clearances 	Accept	Complete	See above recommendation (9).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	c. volunteers and employees are issued with the same type of clearance.			
29	<p>All state and territory governments should ensure that any person the subject of an adverse WWCC decision can appeal to a body independent of the WWCC screening agency, but within the same jurisdiction, for a review of the decision, except persons who have been convicted of one of the following categories of offences:</p> <ul style="list-style-type: none"> • murder of a child • indecent or sexual assault of a child • child pornography-related offences • incest where the victim was a child, and <ol style="list-style-type: none"> a. received a sentence of full-time custody for the conviction, such persons being permanently excluded from an appeal, or b. by virtue of that conviction, the person is subject to an order that imposes any control on the person's conduct or movement, or excludes the person from working with children, such persons being excluded from an appeal for the duration of that order. <p>Notwithstanding the above any person may bring an appeal in which they allege that offences have been mistakenly recorded as applying to that person.</p>	Accept in principle	Complete	<p>Queensland meets this recommendation under the WWC Act, which provides a person subject to an adverse WWCC decision can apply to the Queensland Civil and Administrative Tribunal (QCAT) for review of the decision.</p> <p>Persons with a conviction for a disqualifying offence under Schedule 4 of the WWC Act, including those described in the recommendation, are not permitted to apply for QCAT review unless on the basis of mistaken identity (i.e. the person was not the person the subject of the charge, conviction or order on which the decision was based).</p>
30	Subject to the implementation of the standards set out in this report, all state and territory governments should amend WWCC laws to enable WWCCs from other jurisdictions to be recognised and accepted.	Accept in principle	Ongoing	See above recommendation (1).
31	Subject to the commencement of continuous monitoring of national criminal history records, all state and territory governments should amend WWCC laws to specify that:	Accept in principle	Ongoing	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> a. WWCCs are valid for five years b. employers and WWCC cardholders engaged in child-related work must inform the screening agency when a person commences or ceases being engaged in specific child-related work c. screening agencies are required to notify a person's employer of any change in the person's WWCC status. 			
32	All state and territory governments should grant screening agencies, or another suitable regulatory body, the statutory power to monitor compliance with WWCC laws.	Accept in principle	Ongoing	As part of the ongoing implementation of the National Standards and recommendations from the QFCC's Blue Card Review, consideration will be given to the appropriate compliance framework to support the operation of the blue card system.
33	All state and territory governments should ensure WWCC laws include powers to compel the production of relevant information for the purposes of compliance monitoring.	Accept in principle	Ongoing	See above recommendation (32).
34	<p>The Commonwealth, state and territory governments should:</p> <ul style="list-style-type: none"> a. through COAG, or a relevant ministerial council, adopt the standards and set a timeframe within which all jurisdictions must report back to COAG, or a relevant ministerial council, on implementation b. establish a process whereby changes to the standards or to state and territory schemes need to be agreed to by COAG, or a relevant ministerial council, and must be adopted across all jurisdictions. 	Noted	Complete	<p>The National Standards note they will be reviewed by states and territories periodically to identify areas where further national consistency can be reached. Any changes are to be approved by the relevant Ministers.</p> <p>In addition, National Cabinet has agreed that the Commonwealth Government would work together with states and territories to improve the national consistency of WWCCs. This work is part of a plan to reduce overlapping regulations. The Queensland Government will actively participate in these discussions.</p>
35	The Commonwealth, state and territory governments should provide an annual report to COAG, or a relevant ministerial council, for three years following the publication of this report, to be tabled in the parliaments of all nine jurisdictions, detailing their progress in	Noted	Complete	With the release of the Queensland Government's fifth and final annual report on Royal Commission implementation, this recommendation is now complete.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	implementing the recommendations in this report and achieving a nationally consistent approach to WWCCs.			
36	COAG, or a relevant ministerial council, should ensure a review is made after three years of the publication of this report, of the state and territory governments' progress in achieving consistency across the WWCC schemes, with a view to assessing whether they have implemented the Royal Commission's recommendations.	Noted	Ongoing	See above recommendation (34).

Queensland Government fifth annual progress report

Royal Commission into Institutional Responses to Child Sexual Abuse

December 2022

Redress and Civil Litigation report

Recommendation by recommendation implementation
status

Redress and Civil Litigation Report

No.	Recommendation	Queensland Government position	Status	Implementation summary
1	A process for redress must provide equal access and equal treatment for survivors – regardless of the location, operator, type, continued existence or assets of the institution in which they were abused – if it is to be regarded by survivors as being capable of delivering justice.	Accept	Complete	The Queensland Government joined the National Redress Scheme on 19 November 2018. Further information about the National Redress Scheme and Redress Support Services are available here: https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/national-redress-scheme .
2	Appropriate redress for survivors should include the elements of: <ol style="list-style-type: none"> direct personal response counselling and psychological care monetary payments. 	Accept	Complete	See above recommendation (1).
3	Funders or providers of existing support services should maintain their current resourcing for existing support services, without reducing or diverting resources in response to the Royal Commission's recommendations on redress and civil litigation.	Accept	Complete	See above recommendation (1).
4	Any institution or redress scheme that offers or provides any element of redress should do so in accordance with the following principles: <ol style="list-style-type: none"> Redress should be survivor focused. There should be a 'no wrong door' approach for survivors in gaining access to redress. All redress should be offered, assessed and provided with appropriate regard to what is known about the nature and impact of child sexual abuse – and institutional child sexual abuse in particular – and to the cultural needs of survivors. All redress should be offered, assessed and provided with appropriate regard to the needs of particularly vulnerable survivors. 	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
5	<p>Institutions should offer and provide a direct personal response to survivors in accordance with the following principles:</p> <ul style="list-style-type: none"> a. Re-engagement between a survivor and an institution should only occur if, and to the extent that, a survivor desires it. b. Institutions should make clear what they are willing to offer and provide by way of direct personal response to survivors of institutional child sexual abuse. Institutions should ensure that they are able to provide the direct personal response they offer to survivors. c. At a minimum, all institutions should offer and provide on request by a survivor: <ul style="list-style-type: none"> i. an apology from the institution ii. the opportunity to meet with a senior institutional representative and receive an acknowledgement of the abuse and its impact on them iii. an assurance or undertaking from the institution that it has taken, or will take, steps to protect against further abuse of children in that institution. d. In offering direct personal responses, institutions should try to be responsive to survivors' needs. e. Institutions that already offer a broader range of direct personal responses to survivors and others should consider continuing to offer those forms of direct personal response. f. Direct personal responses should be delivered by people who have received some training about the nature and impact of child sexual abuse and the needs of survivors, including cultural awareness and sensitivity training where relevant. 	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	g. Institutions should welcome feedback from survivors about the direct personal response they offer and provide.			
6	Those who operate a redress scheme should offer to facilitate the provision of a written apology, a written acknowledgement and/or a written assurance of steps taken to protect against further abuse for survivors who seek these forms of direct personal response but who do not wish to have any further contact with the institution.	Accept	Complete	See above recommendation (1).
7	Those who operate a redress scheme should facilitate the provision of these forms of direct personal response by conveying survivors' requests for these forms of direct personal response to the relevant institution.	Accept	Complete	See above recommendation (1).
8	Institutions should accept a survivor's choice of intermediary or representative to engage with the institution on behalf of the survivor, or with the survivor as a support person, in seeking or obtaining a direct personal response.	Accept	Complete	See above recommendation (1).
9	<p>Counselling and psychological care should be supported through redress in accordance with the following principles:</p> <ul style="list-style-type: none"> a. Counselling and psychological care should be available throughout a survivor's life. b. Counselling and psychological care should be available on an episodic basis. c. Survivors should be allowed flexibility and choice in relation to counselling and psychological care. d. There should be no fixed limits on the counselling and psychological care provided to a survivor. e. Without limiting survivor choice, counselling and psychological care should be provided by practitioners with appropriate capabilities to work with clients with complex trauma. 	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>f. Treating practitioners should be required to conduct ongoing assessment and review to ensure treatment is necessary and effective. If those who fund counselling and psychological care through redress have concerns about services provided by a particular practitioner, they should negotiate a process of external review with that practitioner and the survivor. Any process of assessment and review should be designed to ensure it causes no harm to the survivor.</p> <p>g. Counselling and psychological care should be provided to a survivor's family members if necessary for the survivor's treatment.</p>			
10	<p>To facilitate the provision of counselling and psychological care by practitioners with appropriate capabilities to work with clients with complex trauma:</p> <p>a. the Australian Psychological Society should lead work to design and implement a public register to enable identification of practitioners with appropriate capabilities to work with clients with complex trauma</p> <p>b. the public register and the process to identify practitioners with appropriate capabilities to work with clients with complex trauma should be designed and implemented by a group that includes representatives of the Australian Psychological Society, the Australian Association of Social Workers, the Royal Australian and New Zealand College of Psychiatrists, Adults Surviving Child Abuse, a specialist sexual assault service, and a non-government organisation with a suitable understanding of the counselling and psychological care needs of Aboriginal and Torres Strait Islander survivors.</p>	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. the funding for counselling and psychological care under redress should be used to provide financial support for the public register if required d. those who operate a redress scheme should ensure that information about the public register is made available to survivors who seek counselling and psychological care through the redress scheme. 			
11	<p>Those who administer support for counselling and psychological care through redress should ensure that counselling and psychological care are supported through redress in accordance with the following principles:</p> <ul style="list-style-type: none"> a. Counselling and psychological care provided through redress should supplement, and not compete with, existing services. b. Redress should provide funding for counselling and psychological care services and should not itself provide counselling and psychological care services c. Redress should fund counselling and psychological care as needed by survivors rather than providing a lump sum payment to survivors for their future counselling and psychological care needs. 	Accept	Complete	See above recommendation (1).
12	<p>The Australian Government should remove any restrictions on the number of sessions of counselling and psychological care, whether in a particular period of time or generally, for which Medicare funding is available for survivors who are assessed as eligible for redress under a redress scheme.</p>	Noted	Complete	See above recommendation (1).
13	<p>The Australian Government should expand the range of counselling and psychological care services for which Medicare funding is available for survivors who are assessed as eligible for redress under a redress scheme to include longer-term interventions that are</p>	Noted	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	suitable for treating complex trauma, including through non-cognitive approaches.			
14	<p>The funding obtained through redress to ensure that survivors' needs for counselling and psychological care are met should be used to fund measures that help to meet those needs, including:</p> <ul style="list-style-type: none"> a. measures to improve survivors' access to Medicare by: <ul style="list-style-type: none"> i. funding case management style support to help survivors to understand what is available through the Better Access initiative and Access to Allied Psychological Services and why a GP diagnosis and referral is needed ii. maintaining a list of GPs who have mental health training, are familiar with the existence of the redress scheme and are willing to be recommended to survivors as providers of GP services, including referrals, in relation to counselling and psychological care iii. supporting the establishment and use of the public register that provides details of practitioners who have been identified as having appropriate capabilities to treat survivors and who are registered practitioners for Medicare purposes. b. providing funding to supplement existing services provided by state-funded specialist services to increase the availability of services and reduce waiting times for survivors c. measures to address gaps in expertise and geographical and cultural gaps by: <ul style="list-style-type: none"> i. supporting the establishment and promotion of the public register that provides details of practitioners 	Noted	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary								
	<p>who have been identified as having appropriate capabilities to treat survivors</p> <ul style="list-style-type: none"> ii. funding training in cultural awareness for practitioners who have the capabilities to work with survivors but have not had the necessary training or experience in working with Aboriginal and Torres Strait Islander survivors iii. funding rural and remote practitioners, or Aboriginal and Torres Strait Islander practitioners, to obtain appropriate capabilities to work with survivors iv. providing funding to facilitate regional and remote visits to assist in establishing therapeutic relationships; these could then be maintained largely by online or telephone counselling. There could be the potential to fund additional visits if required from time to time. <p>d. providing funding for counselling and psychological care for survivors whose needs for counselling and psychological care cannot otherwise be met, including by paying reasonable gap fees charged by practitioners if survivors are unable to afford these fees.</p>											
15	The purpose of a monetary payment under redress should be to provide a tangible recognition of the seriousness of the hurt and injury suffered by a survivor.	Accept	Complete	See above recommendation (1).								
16	<p>Monetary payments should be assessed and determined by using the following matrix:</p> <table border="0" data-bbox="183 1193 672 1313"> <thead> <tr> <th data-bbox="183 1193 560 1220">Factor</th> <th data-bbox="560 1193 672 1220">Value</th> </tr> </thead> <tbody> <tr> <td data-bbox="183 1220 560 1248">Severity of abuse</td> <td data-bbox="560 1220 672 1248">1–40</td> </tr> <tr> <td data-bbox="183 1248 560 1275">Impact of abuse</td> <td data-bbox="560 1248 672 1275">1–40</td> </tr> <tr> <td data-bbox="183 1275 560 1302">Additional elements</td> <td data-bbox="560 1275 672 1302">1–20.</td> </tr> </tbody> </table>	Factor	Value	Severity of abuse	1–40	Impact of abuse	1–40	Additional elements	1–20.	Accept in principle	Complete	See above recommendation (1).
Factor	Value											
Severity of abuse	1–40											
Impact of abuse	1–40											
Additional elements	1–20.											

No.	Recommendation	Queensland Government position	Status	Implementation summary
17	<p>The 'Additional elements' factor should recognise the following elements:</p> <ul style="list-style-type: none"> a. whether the applicant was in state care at the time of the abuse – that is, as a ward of the state or under the guardianship of the relevant Minister or government agency b. whether the applicant experienced other forms of abuse in conjunction with the sexual abuse – including physical, emotional or cultural abuse or neglect c. whether the applicant was in a 'closed' institution or without the support of family or friends at the time of the abuse d. whether the applicant was particularly vulnerable to abuse because of his or her disability. 	Accept	Complete	See above recommendation (1).
18	<p>Those establishing a redress scheme should commission further work to develop this matrix and the detailed assessment procedures and guidelines required to implement it:</p> <ul style="list-style-type: none"> a. in accordance with our discussion of the factors b. taking into account expert advice in relation to institutional child sexual abuse, including child development, medical, psychological, social and legal perspective c. with the benefit of actuarial advice in relation to the actuarial modelling on which the level and spread of monetary payments and funding expectations are based. 	Accept	Complete	See above recommendation (1).
19	<p>The appropriate level of monetary payments under redress should be:</p> <ul style="list-style-type: none"> a. a minimum payment of \$10,000 b. a maximum payment of \$200,000 for the most severe case c. an average payment of \$65,000. 	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
20	Monetary payments should be assessed and paid without any reduction to repay past Medicare expenses, which are to be repaid (if required) as part of the administration costs of a redress scheme.	Accept	Complete	See above recommendation (1).
21	Consistent with our view that monetary payments under redress are not income for the purposes of social security, veterans' pensions or any other Federal Government payments, those who operate a redress scheme should seek a ruling to this effect to provide certainty for survivors.	Accept	Complete	See above recommendation (1).
22	Those who operate a redress scheme should give consideration to offering monetary payments by instalments at the option of eligible survivors, taking into account the likely demand for this option from survivors and the cost to the scheme of providing it.	Accept in principle	Complete	See above recommendation (1).
23	Survivors who have received monetary payments in the past – whether under other redress schemes, statutory victims of crime schemes, through civil litigation or otherwise – should be eligible to be assessed for a monetary payment under redress.	Accept in principle	Complete	See above recommendation (1).
24	<p>The amount of the monetary payments that a survivor has already received for institutional child sexual abuse should be determined as follows:</p> <ul style="list-style-type: none"> a. monetary payments already received should be counted on a gross basis, including any amount the survivor paid to reimburse Medicare or in legal fees b. no account should be taken of the cost of providing any services to the survivor, such as counselling services c. any uncertainty as to whether a payment already received related to the same abuse for which the survivor seeks a monetary payment through redress should be resolved in the survivor's favour. 	Accept	Complete	See above recommendation (1).
25	The monetary payments that a survivor has already received for institutional child sexual abuse should be taken into account in	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	determining any monetary payment under redress by adjusting the amount of the monetary payments already received for inflation and then deducting that amount from the amount of the monetary payment assessed under redress.			
26	In order to provide redress under the most effective structure for ensuring justice for survivors, the Australian Government should establish a single national redress scheme.	Accept	Complete	See above recommendation (1).
27	If the Australian Government does not establish a single national redress scheme, as the next best option for ensuring justice for survivors, each state and territory government should establish a redress scheme covering government and non-government institutions in the relevant state or territory.	Accept	Complete	See above recommendation (1).
28	The Australian Government should determine and announce by the end of 2015 that it is willing to establish a single national redress scheme.	Noted	Complete	See above recommendation (1).
29	If the Australian Government announces that it is willing to establish a single national redress scheme, the Australian Government should commence national negotiations with state and territory governments and all parties to the negotiations should seek to ensure that the negotiations proceed as quickly as possible to agree the necessary arrangements for a single national redress scheme.	Noted	Complete	See above recommendation (1).
30	If the Australian Government does not announce that it is willing to establish a single national redress scheme, each state and territory government should establish a redress scheme for the relevant state or territory that covers government and non-government institutions. State and territory governments should undertake national negotiations as quickly as possible to agree the necessary matters of detail to provide the maximum possible consistency for survivors between the different state and territory schemes.	Accept	Complete	See above recommendation (1).
31	Whether there is a single national redress scheme or separate state and territory redress schemes, the scheme or schemes should be	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	established and ready to begin inviting and accepting applications from survivors by no later than 1 July 2017.			
32	The Australian Government (if it announces that it is willing to establish a single national redress scheme) or state and territory governments should establish a national redress advisory council to advise all participating governments on the establishment and operation of the redress scheme or schemes.	Noted	Complete	See above recommendation (1).
33	<p>The national redress advisory council should include representatives:</p> <ul style="list-style-type: none"> a. of survivor advocacy and support groups b. of non-government institutions, particularly those that are expected to be required to respond to a significant number of claims for redress c. with expertise in issues affecting survivors with disabilities d. with expertise in issues of particular importance to Aboriginal and Torres Strait Islander survivors e. with expertise in psychological and legal issues relevant to survivors f. with any other expertise that may assist in advising on the establishment and operation of the redress scheme or schemes. 	Noted	Complete	See above recommendation (1).
34	<p>For any application for redress made to a redress scheme, the cost of redress in respect of the application should be:</p> <ul style="list-style-type: none"> a. a proportionate share of the cost of administration of the scheme b. if the applicant is determined to be eligible, the cost of any contribution for counselling and psychological care in respect of the applicant 	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. if the applicant is determined to be eligible, the cost of any monetary payment to be made to the applicant. 			
35	<p>The redress scheme or schemes should be funded as much as possible in accordance with the following principles:</p> <ul style="list-style-type: none"> a. The institution in which the abuse is alleged or accepted to have occurred should fund the cost of redress. b. Where an applicant alleges or is accepted to have experienced abuse in more than one institution, the redress scheme or schemes should apportion the cost of funding redress between the relevant institutions, taking account of the relative severity of the abuse in each institution and any other features relevant to calculating a monetary payment. c. Where the institution in which the abuse is alleged or accepted to have occurred no longer exists but the institution was part of a larger group of institutions or where there is a successor to the institution, the group of institutions or the successor institution should fund the cost of redress. 	Accept	Complete	See above recommendation (1).
36	The Australian Government and state and territory governments should provide 'funder of last resort' funding for the redress scheme or schemes so that the governments will meet any shortfall in funding for the scheme or schemes.	Accept in principle	Complete	See above recommendation (1).
37	Regardless of whether there is a single national redress scheme or separate state and territory redress schemes, the Australian Government and each state or territory government should negotiate and agree their respective shares of or contributions to 'funder of last resort' funding in respect of applications alleging abuse in the relevant state or territory.	Accept	Complete	See above recommendation (1).
38	The Australian Government (if it announces that it is willing to establish a single national redress scheme) or state and territory governments should determine how best to raise the required	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	funding for the redress scheme or schemes, including government funding and funding from non-government institutions.			
39	The Australian Government or state and territory governments should determine whether or not to require particular non-government institutions or particular types of non-government institutions to contribute funding for redress.	Accept	Complete	See above recommendation (1).
40	The redress scheme, or each redress scheme, should establish a trust fund to receive the funding for counselling and psychological care paid under redress and to manage and apply that funding to meet the needs for counselling and psychological care of those eligible for redress under the relevant redress scheme.	Accept in principle	Complete	See above recommendation (1).
41	<p>The trust fund, or each trust fund, should be governed by a corporate trustee with a board of directors appointed by the government that establishes the relevant redress scheme. The board or each board should include:</p> <ul style="list-style-type: none"> a. an independent Chair. b. a representative of: government; non-government institutions; survivor advocacy and support groups; and the redress scheme. c. those with any other expertise that is desired at board level to direct the trust. 	Accept in principle	Complete	See above recommendation (1).
42	The trustee, or each trustee, should engage actuaries to conduct regular actuarial assessments to determine a 'per head' estimate of future counselling and psychological care costs to be met through redress. The trustee, or each trustee, should determine the amount from time to time that those who fund redress, including as the funder of last resort, must pay per eligible applicant to fund the counselling and psychological care element of redress.	Accept in principle	Complete	See above recommendation (1).
43	A person should be eligible to apply to a redress scheme for redress if he or she was sexually abused as a child in an institutional context	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	and the sexual abuse occurred, or the first incidence of the sexual abuse occurred, before the cut-off date.			
44	Institution' should have the same meaning as in the Royal Commission's terms of reference.	Accept	Complete	See above recommendation (1).
45	<p>Child sexual abuse should be taken to have occurred in an institutional context in the following circumstances:</p> <ul style="list-style-type: none"> a. it happens: <ul style="list-style-type: none"> i. on premises of an institution ii. where activities of an institution take place or iii. in connection with the activities of an institution in circumstances where the institution is, or should be treated as being, responsible for the contact between the abuser and the applicant that resulted in the abuse being committed. b. it is engaged in by an official of an institution in circumstances (including circumstances that involve settings not directly controlled by the institution) where the institution has, or its activities have, created, facilitated, increased, or in any way contributed to (whether by act or omission) the risk of abuse or the circumstances or conditions giving rise to that risk. c. it happens in any other circumstances where the institution is, or should be treated as being, responsible for the adult abuser having contact with the applicant. 	Accept	Complete	See above recommendation (1).
46	Those who operate the redress scheme should specify the cut-off date as being the date on which the Royal Commission's recommended reforms to civil litigation in relation to limitation periods and the duty of institutions commence.	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
47	An offer of redress should only be made if the applicant is alive at the time the offer is made.	Accept in principle	Complete	See above recommendation (1).
48	A redress scheme should have no fixed closing date. But, when applications to the scheme reduce to a level where it would be reasonable to consider closing the scheme, those who operate the redress scheme should consider specifying a closing date for the scheme. The closing date should be at least 12 months into the future. Those who operate the redress scheme should ensure that the closing date is given widespread publicity until the scheme closes.	Accept in principle	Complete	See above recommendation (1).
49	Those who operate a redress scheme should ensure the availability of the scheme is widely publicised and promoted.	Accept	Complete	See above recommendation (1).
50	<p>The redress scheme should consider adopting particular communication strategies for people who might be more difficult to reach, including:</p> <ul style="list-style-type: none"> a. Aboriginal and Torres Strait Islander communities b. people with disability c. culturally and linguistically diverse communities d. regional and remote communities e. people with mental health difficulties f. people who are experiencing homelessness g. people in correctional or detention centres h. children and young people i. people with low levels of literacy j. survivors now living overseas. 	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
51	A redress scheme should rely primarily on completion of a written application form.	Accept	Complete	See above recommendation (1).
52	A redress scheme should fund support services and community legal centres to assist applicants to apply for redress.	Accept	Complete	See above recommendation (1).
53	A redress scheme should select support services and community legal centres to cover a broad range of likely applicants, taking into account the need to cover regional and remote areas and the particular needs of different groups of survivors, including Aboriginal and Torres Strait Islander survivors.	Accept	Complete	See above recommendation (1).
54	Those who operate a redress scheme should determine whether the scheme will require additional material or evidence and additional procedures to determine the validity of applications. Any additional requirements should be clearly set out in scheme material that is made available to applicants, support services and others who may support or advise applicants in relation to the scheme.	Accept	Complete	See above recommendation (1).
55	A redress scheme may require applicants for redress to verify their accounts of abuse by statutory declaration.	Accept	Complete	See above recommendation (1).
56	A redress scheme should inform any institution named in an application for redress of the application and the allegations made in it and request the institution to provide any relevant information, documents or comments.	Accept	Complete	See above recommendation (1).
57	Reasonable likelihood' should be the standard of proof for determining applications for redress.	Accept	Complete	See above recommendation (1).
58	A redress scheme should adopt administrative decision-making processes appropriate to a large-scale redress scheme. It should make decisions based on the application of the detailed assessment procedures and guidelines for implementing the matrix for monetary payments.	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
59	An offer of redress should remain open for acceptance for a period of one year.	Accept in principle	Complete	See above recommendation (1).
60	A period of three months should be allowed for an applicant to seek a review of an offer of redress after the offer is made.	Accept in principle	Complete	See above recommendation (1).
61	A redress scheme should offer an internal review process.	Accept	Complete	See above recommendation (1).
62	A redress scheme established on an administrative basis should be made subject to oversight by the relevant ombudsman through the ombudsman's complaints mechanism.	Accept	Complete	See above recommendation (1).
63	As a condition of making a monetary payment, a redress scheme should require an applicant to release the scheme (including the contributing government or governments) and the institution from any further liability for institutional child sexual abuse by executing a deed of release.	Accept	Complete	See above recommendation (1).
64	A redress scheme should fund, at a fixed price, a legal consultation for an applicant before the applicant decides whether or not to accept the offer of redress and grant the required releases.	Accept	Complete	See above recommendation (1).
65	No confidentiality obligations should be imposed on applicants for redress.	Accept	Complete	See above recommendation (1).
66	A redress scheme should offer and fund counselling during the period from assisting applicants with the application, through the period when the application is being considered, to the making of the offer and the applicant's consideration of whether or not to accept the offer. This should include a session of financial counselling if the applicant is offered a monetary payment.	Accept	Complete	See above recommendation (1).
67	A redress scheme should fund counselling provided by a therapist of the applicant's choice if it is specifically requested by the applicant and in circumstances where the applicant has an established	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	relationship with the therapist and the cost is reasonable comparable to the cost the redress scheme is paying for these services generally.			
68	A redress scheme should offer and fund a limited number of counselling sessions for family members of survivors if reasonably required.	Accept in principle	Complete	See above recommendation (1).
69	<p>A redress scheme should take the following steps to improve transparency and accountability:</p> <ol style="list-style-type: none"> a. In addition to publicising and promoting the availability of the scheme, the scheme's processes and time frames should be as transparent as possible. The scheme should provide up-to-date information on its website and through any funded counselling and support services and community legal centres, other relevant support services and relevant institutions. b. If possible, the scheme should ensure that each applicant is allocated to a particular contact officer who they can speak to if they have any queries about the status of their application or the timing of its determination and so on. c. The scheme should operate a complaints mechanism and should welcome any complaints or feedback from applicants and others involved in the scheme (for example, support services and community legal centres) d. The scheme should provide any feedback it receives about common problems that have been experienced with applications or institutions' responses to funded counselling and support services and community legal centres, other relevant support services and relevant institutions. It should include any suggestions on how to improve applications or responses or ensure more timely determinations e. The scheme should publish data, at least annually, about: 	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> i. the number of applications received ii. the institutions to which the applications relate iii. the periods of alleged abuse iv. the number of applications determined v. the outcome of applications vi. the mean, median and spread of payments offered vii. the mean, median and spread of time taken to determine the application viii. the number and outcome of applications for review. 			
70	A redress scheme should not make any 'findings' that any alleged abuser was involved in any abuse.	Accept	Complete	See above recommendation (1).
71	A redress scheme may defer determining an application for redress if the institution advises that it is undertaking internal disciplinary processes in respect of the abuse the subject of the application. A scheme may have the discretion to consider the outcome of the disciplinary process, if it is provided by the institution, in determining the application.	Accept in principle	Complete	See above recommendation (1).
72	A redress scheme should comply with any legal requirements, and make use of any permissions, to report or disclose abuse, including to oversight agencies.	Accept	Complete	See above recommendation (1).
73	<p>A redress scheme should report any allegations to the police if it has reason to believe that there may be a current risk to children. If the relevant applicant does not consent to the allegations being reported to the police, the scheme should report the allegations to the police without disclosing the applicant's identity.</p> <p>Note: The issue of reporting to police, including blind reporting, will be considered further in our work in relation to criminal justice issues.</p>	Accept	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
74	A redress scheme should seek to cooperate with any reasonable requirements of the police in terms of information sharing, subject to satisfying any privacy and consent requirements with applicants.	Accept	Complete	See above recommendation (1).
75	A redress scheme should encourage any applicants who seek advice from it about reporting to police to discuss their options directly with the police.	Accept	Complete	See above recommendation (1).
76	<p>Institutions should seek to achieve independence in institutional redress processes by taking the following steps:</p> <ul style="list-style-type: none"> a. Institutions should provide information on the application process, including online, so that survivors do not need to approach the institution if there is an independent person with whom they can make their claim b. If feasible, the process of receiving and determining claims should be administered independently of the institution to minimise the risk of any appearance that the institution can influence the process or decisions c. Institutions should ensure that anyone they engage to handle or determine redress claims is appropriately trained in understanding child sexual abuse and its impacts and in any relevant cultural awareness issues d. Institutions should ensure that any processes or interactions with survivors are respectful and empathetic, including by taking into account the factors discussed in Chapter 5 concerning meetings and meeting environments e. Processes and interactions should not be legalistic. Any legal, medical and other relevant input should be obtained for the purposes of decision making. 	Accept in principle	Complete	See above recommendation (1).
77	Institutions should ensure that the required independence is set out clearly in writing between the institution and any person or body the institution engages as part of its redress process.	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
78	<p>If a survivor alleges abuse in more than one institution, the institution to which the survivor applies for redress should adopt the following process:</p> <ul style="list-style-type: none"> a. With the survivor's consent, the institution's redress process should approach the other named institutions to seek cooperation on the claim b. If the survivor consents and the relevant institutions agree, one institutional process should assess the survivor's claim in accordance with the recommended redress elements and processes (with any necessary modifications because of the absence of a government-run scheme) and allocate contributions between the institutions. c. If any institution no longer exists and has no successor, its share should be met by the other institution or institutions. 	Accept in principle	Complete	See above recommendation (1).
79	Institutions should adopt the elements of redress and the general principles for providing redress recommended in Chapter 4.	Accept in principle	Complete	See above recommendation (1).
80	Institutions should undertake, through their redress processes, to meet survivors' needs for counselling and psychological care. A survivor's need for counselling and psychological care should be assessed independently of the institution.	Accept in principle	Complete	See above recommendation (1).
81	Institutions should adopt the purpose of monetary payments recommended in Chapter 7 and be guided by the recommended matrix for assessing monetary payments.	Accept in principle	Complete	See above recommendation (1).
82	In implementing any interim arrangements for institutions to offer and provide redress, institutions should take account of our discussion of the applicability of the redress scheme processes recommended in Chapter 11.	Accept in principle	Complete	See above recommendation (1).

No.	Recommendation	Queensland Government position	Status	Implementation summary
83	Institutions should ensure no deeds of release are required under interim arrangements for institutions to offer and provide redress.	Accept in principle	Complete	See above recommendation (1).
84	If the Australian Government or state and territory governments accept our recommendations and announce that they are working to establish a single national redress scheme or separate state and territory redress schemes, institutions may wish to offer smaller interim or emergency payments as an alternative to offering institutional redress processes as interim arrangement.	Accept in principle	Complete	See above recommendation (1).
85	State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person in an institutional context when the person is or was a child.	Accept	Complete	Amendments to the <i>Limitation of Actions Act 1974</i> (Qld) and the <i>Personal Injuries Proceedings Act 2002</i> (Qld), made by the <i>Limitation of Actions (Child Sexual Abuse) and Other Legislation Amendment Act 2016</i> , retrospectively remove the limitation periods for commencing an action for damages relating to child sexual abuse (regardless of the setting). The amendments commenced on 1 March 2017.
86	State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.	Accept	Complete	See above recommendation (85).
87	State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.	Accept	Complete	See above recommendation (85).
88	State and territory governments should implement these recommendations to remove limitation periods as soon as possible, even if that requires that they be implemented before our recommendations in relation to the duty of institutions and identifying a proper defendant are implemented.	Accept	Complete	See above recommendation (85).
89	State and territory governments should introduce legislation to impose a non-delegable duty on certain institutions for institutional	Not accepted	Complete	The Queensland Government implemented 'reverse onus' duties on institutions to make institutions liable for institutional child sexual abuse by persons associated with

No.	Recommendation	Queensland Government position	Status	Implementation summary
	child sexual abuse despite it being the deliberate criminal act of a person associated with the institution.			the institution unless the institution proves it took reasonable steps to prevent the abuse (recommendations 91 – 93). The government’s position is that it would not be appropriate to adopt a strict liability approach despite an institution taking all reasonable steps to prevent such abuse.
90	<p>The non-delegable duty should apply to institutions that operate the following facilities or provide the following services and be owed to children who are in the care, supervision or control of the institution in relation to the relevant facility or service:</p> <ul style="list-style-type: none"> a. residential facilities for children, including residential out-of-home care facilities and juvenile detention centres but not including foster care or kinship care b. day and boarding schools and early childhood education and care services, including long day care, family day care, outside school hours services and preschool programs c. disability services for children d. any other facility operated for profit which provides services for children that involve the facility having the care, supervision or control of children for a period of time but not including foster care or kinship care e. any facilities or services operated or provided by religious organisations, including activities or services provided by religious leaders, officers or personnel of religious organisations but not including foster care or kinship care. 	Not accepted	Complete	See above recommendation (89).
91	Irrespective of whether state and territory parliaments legislate to impose a non-delegable duty upon institutions, state and territory governments should introduce legislation to make institutions liable for institutional child sexual abuse by persons associated with the institution unless the institution proves it took reasonable steps to prevent the abuse. The ‘reverse onus’ should be imposed on all	Accept	Complete	Amendments to the <i>Civil Liability Act 2003</i> (Qld), made by the <i>Civil Liability and Other Legislation Amendment Act 2019</i> , 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 institution is taken

No.	Recommendation	Queensland Government position	Status	Implementation summary
	institutions, including those institutions in respect of which we do not recommend a non-delegable duty be imposed.			to have breached this duty unless it proves it took all reasonable steps to prevent the abuse. The amendments commenced on 2 March 2020.
92	For the purposes of both the non-delegable duty and the imposition of liability with a reverse onus of proof, the persons associated with the institution should include the institution's officers, office holders, employees, agents, volunteers and contractors. For religious organisations, persons associated with the institution also include religious leaders, officers and personnel of the religious organisation.	Accept	Complete	See above recommendation (91).
93	State and territory governments should ensure that the non-delegable duty and the imposition of liability with a reverse onus of proof apply prospectively and not retrospectively.	Accept	Complete	See above recommendation (91).
94	<p>State and territory governments should introduce legislation to provide that, where a survivor wishes to commence proceedings for damages in respect of institutional child sexual abuse where the institution is alleged to be an institution with which a property trust is associated, then unless the institution nominates a proper defendant to sue that has sufficient assets to meet any liability arising from the proceedings:</p> <ul style="list-style-type: none"> a. the property trust is a proper defendant to the litigation b. any liability of the institution with which the property trust is associated that arises from the proceedings can be met from the assets of the trust. 	Accept	Complete	Amendments to the <i>Civil Liability Act 2003</i> (Qld), made by the <i>Civil Liability and Other Legislation Amendment Act 2019</i> , 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. The amendments commenced on 2 March 2020.
95	The Australian Government and state and territory governments should consider whether there are any unincorporated bodies that they fund directly or indirectly to provide children's services. If there are, they should consider requiring them to maintain insurance that covers their liability in respect of institutional child sexual abuse claims.	Accept in principle	Complete	The Queensland Government has considered this recommendation with insurance arrangements of any funded unincorporated bodies to be determined on a case-by-case basis.
96	Government and non-government institutions that receive, or expect to receive, civil claims for institutional child sexual abuse should	Accept	Complete	Guidelines for Queensland Government agencies responding to civil litigation in relation to child sexual abuse

No.	Recommendation	Queensland Government position	Status	Implementation summary
	adopt guidelines for responding to claims for compensation concerning allegations of child sexual abuse.			were first released on 16 August 2016 and have since been amended to apply in relation to civil litigation in relation to child abuse. They are available on the Department of Justice and Attorney-General website.
97	The guidelines should be designed to minimise potential re-traumatisation of claimants and to avoid unnecessarily adversarial responses to claims.	Accept	Complete	See above recommendation (96).
98	The guidelines should include an obligation on the institution to provide assistance to claimants and their legal representatives in identifying the proper defendant to a claim if the proper defendant is not identified or is incorrectly identified.	Accept	Complete	See above recommendation (96).
99	Government and non-government institutions should publish the guidelines they adopt or otherwise make them available to claimants and their legal representatives.	Accept	Complete	See above recommendation (96).

Queensland Government fifth annual progress report

Royal Commission into Institutional Responses to Child Sexual Abuse

December 2022

Criminal Justice report

Recommendation by recommendation implementation
status

Glossary

Key terms	Definition
CPIU	Child Protection and Investigation Unit
Criminal Code	<i>Criminal Code Act 1899</i> (Qld)
DJAG	Department of Justice and Attorney-General
ICARE	Interviewing Children and Recording Evidence
ODPP	Office of the Director of Public Prosecutions
Qld	Queensland
QPS	Queensland Police Service
Report 2	<i>Hear her voice – Women and girls’ experiences across the criminal justice system</i> , Women’s Safety and Justice Taskforce second report
SVLO	Sexual Violence Liaison Officer
Taskforce	Women’s Safety and Justice Taskforce

Criminal Justice Report

No.	Recommendation	Queensland Government position	Status	Implementation summary
1	<p>In relation to child sexual abuse, including institutional child sexual abuse, the criminal justice system should be reformed to ensure that the following objectives are met:</p> <ol style="list-style-type: none"> the criminal justice system operates in the interests of seeking justice for society, including the complainant and the accused criminal justice responses are available for victims and survivors victims and survivors are supported in seeking criminal justice responses. 	Accept in principle	Complete	<p>These principles already underpin Queensland's criminal justice system and future reform in relation to child sexual abuse will be informed by the consideration of these objectives and recommendations in the report.</p> <p>Queensland has in many ways led the way in reforming the criminal justice system in relation to child sexual abuse. Queensland's <i>Criminal Code Act 1899</i> (Criminal Code) contains a range of offences targeting child sex offending, some of which formed the basis of some of the Royal Commission's recommendations.</p>
2	<p>Australian governments should refer to the Steering Committee for the Report on Government Services for review the issues of:</p> <ol style="list-style-type: none"> how the reporting framework for police services in the Report on Government Services could be extended to include reporting on child sexual abuse offences whether any outcome measures that would be appropriate for police investigations of child sexual abuse offences could be developed and reported on. 	Accept	Complete	<p>Through its membership on the Police and Emergency Management Working Group, QPS has worked with interstate counterparts to address this recommendation, including by providing feedback on data collection specifications for the Australian Bureau of Statistics.</p> <p>The Australian Productivity Commission is considering the inclusion of child sexual assault data in the <i>Report on Government Services</i> for publication in 2023.</p>
3	<p>Each Australian government should ensure that its policing agency:</p> <ol style="list-style-type: none"> recognises that a victim or survivor's initial contact with police will be important in determining their satisfaction with the entire criminal justice response and in influencing their willingness to proceed with a report and to participate in a prosecution ensures that all police who may come into contact with victims or survivors of institutional child sexual abuse are trained to: 	Accept in principle	Ongoing	<p>The QPS has highly trained and skilled child protection investigators who provide a specialist policing response to child victims. Officers in the Child Protection and Investigation Unit (CPIU) provide these specialist responses with CPIUs embedded in each region.</p> <p>QPS completed a detailed gap analysis to identify any additional training requirements for both specialist and general duties police. QPS, in collaboration with the University of Queensland, has developed a suite of specialist training products to build a trauma-informed and victim-</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> i. have a basic understanding of complex trauma and how it can affect people who report to police, including those who may have difficulties dealing with institutions or persons in positions of authority (such as the police) ii. treat anyone who approaches the police to report child sexual abuse with consideration and respect, taking account of any relevant cultural safety issues c. establishes arrangements to ensure that, on initial contact from a victim or survivor, police refer victims and survivors to appropriate support services. 			<p>centric workforce. This four-year project, led by a specialist team at the QPS Academy, is scheduled for completion in 2023. The training products developed are being progressively embedded in the QPS suite of training materials.</p> <p>The QPS Academy is also piloting a 'Whole Story, Bias and Rape Myths' module within the face-to-face detective training course.</p> <p>The University of Queensland recently commenced a review of the Child Protection and Youth Justice Specialist Investigators and ICARE courses. The purpose of the review is to ensure these existing specialist training products remain aligned with the recommendations. This work will be complete in early 2023.</p>
4	<p>To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:</p> <ul style="list-style-type: none"> a. takes steps to communicate to victims (and their families or support people where the victims are children or are particularly vulnerable) that their decision whether to participate in a police investigation will be respected – that is, victims retain the right to withdraw at any stage in the process and to decline to proceed further with police and/or any prosecution b. provides information on the different ways in which victims and survivors can report to police or seek advice from police on their options for reporting or not reporting abuse – this should be in a format that allows institutions and survivor advocacy and support groups and support services to provide it to victims and survivors 	Accept in principle	Complete	<p>QPS has introduced initiatives to remove barriers to and provide further options for people to report sexual violence including alternative channels to reporting such as:</p> <ul style="list-style-type: none"> • an online sexual assault reporting form (launched 2020); and • expansion of Policelink services and introduction of telephone reporting for non-urgent sexual violence matters. <p>QPS consults regularly with key stakeholders, including sexual assault support services, to discuss issues relating to sexual violence and child sexual abuse, to encourage reporting and to promote the online options.</p> <p>QPS is part of the Queensland Intermediary Scheme two-year pilot, which was launched in July 2021. The use of intermediaries assists investigators to obtain evidence from witnesses with communication difficulties in child sexual</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> c. makes available a range of channels to encourage reporting, including specialist telephone numbers and online reporting forms, and provides information about what to expect from each channel of reporting d. works with survivor advocacy and support groups and support services, including those working with people from culturally and linguistically diverse backgrounds and people with disability, to facilitate reporting by victims and survivors e. allows victims and survivors to benefit from the presence of a support person of their choice if they so wish throughout their dealings with police, provided that this will not interfere with the police investigation or risk contaminating evidence f. is willing to take statements from victims and survivors in circumstances where the alleged perpetrator is dead or is otherwise unlikely to be able to be tried. 			<p>offence investigations. QPS will continue to support DJAG in the implementation of the pilot program.</p>
5	<p>To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, among Aboriginal and Torres Strait Islander victims and survivors, each Australian government should ensure that its policing agency:</p> <ul style="list-style-type: none"> a. takes the lead in developing good relationships with Aboriginal and Torres Strait Islander communities b. provides channels for reporting outside of the community (such as telephone numbers and online reporting forms). 	Accept in principle	Complete	<p>QPS launched an online sexual assault reporting process on 25 August 2020. The online reporting form provides an additional channel for victims of sexual assault to report to police, particularly for vulnerable groups, including Aboriginal and Torres Strait Islander peoples.</p> <p>QPS's First Nations and Multicultural Affairs Unit was established in 2020 with a mandate to promote and maintain effective relationships with Queensland's diverse communities, including First Nations communities.</p> <p>QPS implemented the 'Speak Up. Be Strong. Be Heard' program across Aboriginal and Torres Strait Islander communities in Far North Queensland in 2016. The program aims to increase community awareness about sexual abuse, encourage children to speak up about sexual abuse and ensure appropriate action and intervention when issues are raised.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
6	<p>To encourage prisoners and former prisoners to report allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:</p> <ul style="list-style-type: none"> a. provides channels for reporting that can be used from prison and that allow reports to be made confidentially b. does not require former prisoners to report at a police station. 	Accept in principle	Complete	<p>See above recommendation (4).</p> <p>QPS will regularly review and update reporting options and public information on its website.</p>
7	<p>Each Australian government should ensure that its policing agency conducts investigations of reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles:</p> <ul style="list-style-type: none"> a. While recognising the complexity of police rosters, staffing and transfers, police should recognise the benefit to victims and their families and survivors of continuity in police staffing and should take steps to facilitate, to the extent possible, continuity in police staffing on an investigation of a complaint. b. Police should recognise the importance to victims and their families and survivors of police maintaining regular communication with them to keep them informed of the status of their report and any investigation unless they have asked not to be kept informed. c. Particularly in relation to historical allegations of institutional child sexual abuse, police who assess or provide an investigative response to allegations should be trained to: <ul style="list-style-type: none"> i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record 	Accept	Ongoing	<p>See above recommendation (3).</p> <p>In 2021, QPS published its first <i>Sexual Violence Response Strategy</i> to enhance its capacity to prevent, disrupt, respond to and investigate sexual violence. A key focus of the <i>Sexual Violence Response Strategy</i> is applying a victim-centric and trauma-informed response to people with lived experience of sexual violence.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant. 			
8	<p>State and territory governments should introduce legislation to implement Recommendation 20-1 of the report of the Australian Law Reform Commission and the New South Wales Law Reform Commission <i>Family violence: A national legal response</i> in relation to disclosing or revealing the identity of a mandatory reporter to a law enforcement agency.</p>	Accept in principle	Complete	<p>The <i>Child Protection Reform and Other Legislation Amendment Act 2022</i> amended the <i>Child Protection Act 1999</i> (Qld) to enable child protection notifier details to be disclosed to a senior police officer if: it is requested for the prevention, detection, investigation, prosecution or punishment of a criminal offence against a child; and it is necessary to ensure the safety, wellbeing or best interests of a child. The amendment commenced on 31 October 2022.</p>
9	<p>Each Australian government should ensure that its policing agency conducts investigative interviewing in relation to reports of child sexual abuse, including institutional child sexual abuse, in accordance with the following principles:</p> <ul style="list-style-type: none"> a. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should receive at least basic training in understanding sexual offending, including the nature of child sexual abuse and institutional child sexual abuse offending. b. All police who provide an investigative response (whether specialist or generalist) to child sexual abuse should be trained to interview the complainant in accordance with current research and learning about how memory works in order to obtain the complainant's memory of the events. c. The importance of video recorded interviews for children and other vulnerable witnesses should be recognised, as these interviews usually form all, or most, of the complainant's and other relevant witnesses' evidence in chief in any prosecution. 	Accept in principle	Ongoing	<p>See above recommendations (3) and (4).</p> <p>Current QPS practices are consistent with this recommendation, and QPS has investigators who provide a specialist policing response to children. CPIU investigators record interviews with child witnesses in accordance with section 93A of the <i>Evidence Act 1977</i> (Qld). Statements in this format are completed using the ICARE model.</p>

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>d. Investigative interviewing of children and other vulnerable witnesses should be undertaken by police with specialist training. The specialist training should focus on:</p> <ul style="list-style-type: none"> - specialist understanding of child sexual abuse, including institutional child sexual abuse, and the developmental and communication needs of children and other vulnerable witnesses - skill development in planning and conducting interviews, including use of appropriate questioning techniques. <p>e. Specialist police should undergo refresher training on a periodical basis to ensure that their specialist understanding, and skills remain up to date and accord with current research.</p> <p>f. From time to time, experts should review a sample of video recorded interviews with children and other vulnerable witnesses conducted by specialist police for quality assurance and training purposes and to reinforce best-practice interviewing techniques.</p> <p>g. State and territory governments should introduce legislation to remove any impediments, including in relation to privacy concerns, to the use of video recorded interviews so that the relevant police officer, his or her supervisor and any persons engaged by police in quality assurance and training can review video recorded interviews for quality assurance and training purposes. This should not authorise the use of video recorded interviews for general training in a manner that would raise privacy concerns.</p> <p>h. Police should continue to work towards improving the technical quality of video recorded interviews so that they</p>			

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<p>are technically as effective as possible in presenting the complainant's and other witnesses' evidence in chief.</p> <ul style="list-style-type: none"> i. Police should recognise the importance of interpreters, including for some Aboriginal and Torres Strait Islander victims, survivors and other witnesses. j. Intermediaries should be available to assist in police investigative interviews of children and other vulnerable witnesses. 			
10	<p>Each Australian government should ensure that its policing agency makes decisions in relation to whether to lay charges for child sexual abuse offences in accordance with the following principles:</p> <ul style="list-style-type: none"> a. Recognising that it is important to complainants that the correct charges be laid as early as possible so that charges are not significantly downgraded at or close to trial, police should ensure that care is taken, and that early prosecution advice is sought, where appropriate, in laying charges. b. In making decisions about whether to charge, police should not: <ul style="list-style-type: none"> i. expect or require corroboration where the victim or survivor's account does not suggest that there should be any corroboration available ii. rely on the absence of corroboration as a determinative factor in deciding not to charge, where the victim or survivor's account does not suggest that there should be any corroboration available, unless the prosecution service advises otherwise. 	Accept	Complete	QPS policies and practices remain consistent with this recommendation.
11	The Victorian Government should review the operation of section 401 of the <i>Criminal Procedure Act 2009</i> (Vic) and consider amending the provision to restrict the awarding of costs against police if it appears that the risk of costs awards might be affecting	Accept	Complete	In 2018, DJAG conducted a review of the cost provisions against police under relevant Queensland legislation, including consultation the judiciary, government departments and relevant stakeholders. Queensland's existing legislative

No.	Recommendation	Queensland Government position	Status	Implementation summary
	police decisions to prosecute. The government of any other state or territory that has similar provisions should conduct a similar review and should consider similar amendments.			framework was considered appropriate in accordance with the intent of the recommendation.
12	<p>Each Australian government should ensure that, if its policing agency does not provide a specialist response to victims and survivors reporting historical child sexual abuse, its policing agency develops and implements a document in the nature of a 'guarantee of service' which sets out for the benefit of victims and survivors – and as a reminder to the police involved – what victims and survivors are entitled to expect in the police response to their report of child sexual abuse. The document should include information to the effect that victims and survivors are entitled to:</p> <ol style="list-style-type: none"> a. be treated by police with consideration and respect, taking account of any relevant cultural safety issues b. have their views about whether they wish to participate in the police investigation respected c. be referred to appropriate support services d. contact police through a support person or organisation rather than contacting police directly if they prefer e. have the assistance of a support person of their choice throughout their dealings with police unless this will interfere with the police investigation or risk contaminating evidence f. have their statement taken by police even if the alleged perpetrator is dead g. be provided with the details of a nominated person within the police service for them to contact h. be kept informed of the status of their report and any investigation unless they do not wish to be kept informed 	Accept	Complete	<p>Through its CPIU format, QPS provides a specialist response to people reporting child sexual abuse. CPIU practices, and broader QPS policies and procedures, are consistent with this recommendation.</p> <p>In 2021, QPS published its first <i>Sexual Violence Response Strategy</i> to enhance its response to sexual violence and vulnerable victims. The Strategy contains 25 actions including:</p> <ul style="list-style-type: none"> • appointing the Child Abuse and Sexual Crime Group as capability owner for sexual violence, to ensure a consistent state-wide response to sexual violence; and • statewide roll-out of Sexual Violence Liaison Officer (SVLO) roles. SVLO responsibilities include ensuring victims are referred to the appropriate support service and are afforded the opportunity to have a support person present throughout the investigation.

No.	Recommendation	Queensland Government position	Status	Implementation summary
	<ul style="list-style-type: none"> i. have the police focus on the credibility of the complaint or allegations rather than focusing only on the credibility of the complainant, recognising that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record. 			
13	<p>Each Australian government should ensure that its policing agency responds to victims and survivors with disability, or their representatives, who report or seek to report child sexual abuse, including institutional child sexual abuse, to police in accordance with the following principles:</p> <ul style="list-style-type: none"> a. Police who have initial contact with the victim or survivor should be non-judgmental and should not make any adverse assessment of the victim or survivor's credibility, reliability or ability to make a report or participate in a police investigation or prosecution because of their disability. b. Police who assess or provide an investigative response to allegations made by victims and survivors with disability should focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant, and they should not make any adverse assessment of the victim or survivor's credibility or reliability because of their disability. c. Police who conduct investigative interviewing should make all appropriate use of any available intermediary scheme, and communication supports, to ensure that the victim or survivor is able to give their best evidence in the investigative interview. d. Decisions in relation to whether to lay charges for child sexual abuse offences should take full account of the ability of any available intermediary scheme, and communication 	Accept in principle	Ongoing	See above recommendations (3, 4, 7 and 12).

No.	Recommendation	Queensland Government position	Status	Implementation summary
	supports, to assist the victim or survivor to give their best evidence when required in the prosecution process.			
14	<p>In order to assist in the investigation of current allegations of institutional child sexual abuse, each Australian government should ensure that its policing agency:</p> <ul style="list-style-type: none"> a. develops and keeps under review procedures and protocols to guide police and institutions about the information and assistance police can provide to institutions where a current allegation of institutional child sexual abuse is made b. develops and keeps under review procedures and protocols to guide the police, other agencies, institutions and the broader community on the information and assistance police can provide to children and parents and the broader community where a current allegation of institutional child sexual abuse is made. 	Accept	Complete	See above recommendation (10).
15	The New South Wales Standard Operating Procedures for Employment Related Child Abuse Allegations and the Joint Investigation Response Team Local Contact Point Protocol should serve as useful precedents for other Australian governments to consider.	Accept	Complete	See above recommendation (10).
16	<p>In relation to blind reporting, institutions and survivor advocacy and support groups should:</p> <ul style="list-style-type: none"> a. be clear that, where the law requires reporting to police, child protection or another agency, the institution or group or its relevant staff member or official will report as required b. develop and adopt clear guidelines to inform staff and volunteers, victims and their families and survivors, and police, child protection and other agencies as to the approach the institution or group will take in relation to allegations, reports or disclosures it receives that it is not 	Accept in principle	Complete	DJAG has considered these recommendations and consulted the judiciary, government departments and legal and other stakeholders. These recommendations have been completed with the finalisation of this work.

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	required by law to report to police, child protection or another agency.			
17	If a relevant institution or survivor advocacy and support group adopts a policy of reporting survivors' details to police without survivors' consent – that is, if it will not make blind reports – it should seek to provide information about alternative avenues for a survivor to seek support if this aspect of the institution or group's guidelines is not acceptable to the survivor.	Accept in principle	Complete	See above recommendation (16).
18	Institutions and survivor advocacy and support groups that adopt a policy that they will not report the survivor's details without the survivor's consent should make a blind report to police in preference to making no report at all.	Accept in principle	Complete	See above recommendation (16).
19	Regardless of an institution or survivor advocacy and support group's policy in relation to blind reporting, the institution or group should provide survivors with: <ul style="list-style-type: none"> a. information to inform them about options for reporting to police b. support to report to police if the survivor is willing to do so. 	Accept in principle	Complete	See above recommendation (16).

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20	Police should ensure that they review any blind reports they receive and that they are available as intelligence in relation to any current or subsequent police investigations. If it appears that talking to the survivor might assist with a police investigation, police should contact the relevant institution or survivor advocacy and support group, and police and the institution or group should cooperate to try to find a way in which the survivor will be sufficiently supported so that they are willing to speak to police.	Accept in principle	Complete	See above recommendation (10).
21	<p>Each state and territory government should introduce legislation to amend its persistent child sexual abuse offence so that:</p> <ol style="list-style-type: none"> the <i>actus reus</i> is the maintaining of an unlawful sexual relationship an unlawful sexual relationship is established by more than one unlawful sexual act the trier of fact must be satisfied beyond reasonable doubt that the unlawful sexual relationship existed but, where the trier of fact is a jury, jurors need not be satisfied of the same unlawful sexual acts the offence applies retrospectively but only to sexual acts that were unlawful at the time they were committed on sentencing, regard is to be had to relevant lower statutory maximum penalties if the offence is charged with retrospective application. 	Accept in principle	Complete	<p>The existing offence under section 229B (maintaining a sexual relationship with a child) of the Criminal Code operates consistently with the recommendation. The Queensland Government notes the draft offence provision developed by the Royal Commission is based on the Queensland offence.</p> <p>In 2020, the <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the:</p> <ul style="list-style-type: none"> Criminal Code to provide for the retrospective application of the offence under section 229B; and Penalties and Sentences Act 1992 (Qld) to provide that when sentencing offenders for historical child sexual offences the court is to sentence offenders in accordance with sentencing standards at the time the sentence is imposed. <p>The Domestic and Family Violence (Combating Coercive Control) and Other Legislation Amendment Bill 2022, introduced in the Queensland Legislative Assembly on 14 October 2022, included an amendment to the Criminal Code</p>

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				to change the offence title under section 229B from 'maintaining a sexual relationship with a child' to 'repeated sexual conduct with a child'.
22	The draft provision in Appendix H provides for the recommended reform. Legislation to the effect of the draft provision should be introduced.	Accept in principle	Complete	See above recommendation (21).
23	State and territory governments (other than Victoria) should consider introducing legislation to establish legislative authority for course of conduct charges in relation to child sexual abuse offences if legislative authority may assist in using course of conduct charges.	Accept in principle	Complete	The Queensland Government considers the existing offence of maintaining a sexual relationship with a child under section 229B of Queensland's Criminal Code provides extensive coverage in accordance with the recommendation.
24	State and territory governments should consider providing for any of the two or more unlawful sexual acts that are particularised for the maintaining an unlawful sexual relationship offence to be particularised as courses of conduct.	Accept in principle	Complete	See above recommendation (23).
25	To the extent they do not already have a broad grooming offence, each state and territory government should introduce legislation to amend its criminal legislation to adopt a broad grooming offence that captures any communication or conduct with a child undertaken with the intention of grooming the child to be involved in a sexual offence.	Accept	Complete	Existing offences under the Criminal Code provide broad coverage of grooming. The Criminal Code offence provisions of section 218B (grooming children under 16) and section 218A (using internet etc to procure children under 16) capture both communication and conduct with a child undertaken with the intention of grooming the child for participation in a sexual offence.
26	Each state and territory government (other than Victoria) should introduce legislation to extend its broad grooming offence to the grooming of persons other than the child.	Accept	Complete	In 2020, the <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the Criminal Code to extend the grooming offence in section 218B (grooming children under 16) to certain persons other than the child.

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27	State and territory governments should review any position of authority offences applying in circumstances where the victim is 16 or 17 years of age, and the offender is in a position of authority (however described) in relation to the victim. If the offences require more than the existence of the relationship of authority (for example, that it be 'abused' or 'exercised'), states and territories should introduce legislation to amend the offences so that the existence of the relationship is sufficient.	Noted	Complete	Queensland's Criminal Code currently has no direct equivalent offence.
28	State and territory governments should review any provisions allowing consent to be negated in the event of sexual contact between a victim of 16 or 17 years of age and an offender who is in a position of authority (however described) in relation to the victim. If the provisions require more than the existence of the relationship of authority (for example, that it be 'abused' or 'exercised'), state and territory governments should introduce legislation to amend the provisions so that the existence of the relationship is sufficient.	Accept in principle	Ongoing	The intent of the recommendation is reflected in recommendation 42 of the Taskforce Report 2, which has been supported by the Queensland Government. The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.
29	If there is a concern that one or more categories of persons in a position of authority (however described) may be too broad and may catch sexual contact which should not be criminalised when it is engaged in by such persons with children above the age of consent, state and territory governments could consider introducing legislation to establish defences such as a similar-age consent defence.	Accept in principle	Ongoing	See above recommendation (28).
30	State and territory governments should introduce legislation to remove any remaining limitation periods, or any remaining immunities, that apply to child sexual abuse offences, including historical child sexual abuse offences, in a manner that does not revive any sexual offences that are no longer in keeping with community standards.	Accept	Complete	In 2020, the <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the Criminal Code to provide for retrospective application of the removal of limitation periods on prosecutions for certain child sexual offences.
31	Without limiting recommendation 30, the New South Wales Government should introduce legislation to give the repeal of the	Noted	N/A	Implementation of this recommendation is led by the New South Wales Government. Progress of implementation is reported within New South Wales Government Annual

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	limitation period in section 78 of the <i>Crimes Act 1900</i> (NSW) retrospective effect.			Progress Reports, available here: https://www.nsw.gov.au/projects/response-to-royal-commission .
32	Any person associated with an institution who knows or suspects that a child is being or has been sexually abused in an institutional context should report the abuse to police (and, if relevant, in accordance with any guidelines the institution adopts in relation to blind reporting under recommendation 16).	Accept in principle	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the Criminal Code to create a new criminal offence relating to a failure to report a belief of a child sexual offence, requiring all adults in the community to report child sexual abuse to the police, unless they have a reasonable excuse. See below recommendation (33).
33	Each state and territory government should introduce legislation to create a criminal offence of failure to report targeted at child sexual abuse in an institutional context as follows: <ul style="list-style-type: none"> a. The failure to report offence should apply to any adult person who: <ul style="list-style-type: none"> i. is an owner, manager, staff member or volunteer of a relevant institution – this includes persons in religious ministry and other officers or personnel of religious institutions ii. otherwise requires a Working with Children Check clearance for the purposes of their role in the institution but it should not apply to individual foster carers or kinship carers. b. The failure to report offence should apply if the person fails to report to police in circumstances where they know, suspect, or should have suspected (on the basis that a reasonable person in their circumstances would have suspected and it was criminally negligent for the person not to suspect), that an adult associated with the institution was sexually abusing or had sexually abused a child. 	Accept in principle	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> (Amendment Act) amended the Criminal Code to create a new criminal offence relating to a failure to report a belief of a child sexual offence, requiring all adults in the community to report child sexual abuse to the police, unless they have a reasonable excuse. The Amendment Act expressly provided that the offence applies to any information or knowledge gained during, or in connection with, a religious confession. Liability under the offence is subject to the absence of a reasonable excuse. Without limiting the scope of what constitutes a reasonable excuse, a number of specific reasonable excuses are set out within the provision, including where a person has already reported the information, or reasonably believes that another person will report the information, under existing reporting requirements of the <i>Child Protection Act 1999</i> (Qld), the <i>Education (General Provisions) Act 2006</i> (Qld) or the <i>Youth Justice Act 1992</i> (Qld). The new offence commenced on 5 July 2021.

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	<p>c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster and kinship care services should be included (but not individual foster carers or kinship carers). Facilities and services provided by religious institutions, and any services or functions performed by persons in religious ministry, should be included.</p> <p>d. If the knowledge is gained or the suspicion is or should have been formed after the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply:</p> <ul style="list-style-type: none"> i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years). ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either: still associated with the institution known or believed to be associated with another relevant institution. iii. The knowledge gained or the suspicion that is or should have been formed relates to abuse that may have occurred within the previous 10 years. <p>e. If the knowledge is gained or the suspicion is or should have been formed before the failure to report offence commences, the failure to report offence should apply if any of the following circumstances apply:</p> <ul style="list-style-type: none"> i. A child to whom the knowledge relates or in relation to whom the suspicion is or should have been formed is still a child (that is, under the age of 18 years) and is still associated with the institution (that is, they are 			

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	<p>still in the care, supervision or control of the institution).</p> <p>ii. The person who is known to have abused a child or is or should have been suspected of abusing a child is either: still associated with the institution known or believed to be associated with another relevant institution.</p>			
34	<p>State and territory governments should:</p> <p>a. ensure that they have systems in place in relation to their mandatory reporting scheme and any reportable conduct scheme to ensure that any reports made under those schemes that may involve child sexual abuse offences are brought to the attention of police</p> <p>b. include appropriate defences in the failure to report offence to avoid duplication of reporting under mandatory reporting and any reportable conduct schemes.</p>	Accept in principle	Complete	See above recommendation (33).
35	<p>Each state and territory government should ensure that the legislation it introduces to create the criminal offence of failure to report recommended in recommendation 33 addresses religious confessions as follows:</p> <p>a. The criminal offence of failure to report should apply in relation to knowledge gained or suspicions that are or should have been formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.</p> <p>b. The legislation should exclude any existing excuse, protection or privilege in relation to religious confessions to the extent necessary to achieve this objective.</p> <p>c. Religious confession should be defined to include a confession about the conduct of a person associated with</p>	Accept in principle	Complete	See above recommendation (33).

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	<p>the institution made by a person to a second person who is in religious ministry in that second person's professional capacity according to the ritual of the church or religious denomination concerned.</p>			
36	<p>State and territory governments should introduce legislation to create a criminal offence of failure to protect a child within a relevant institution from a substantial risk of sexual abuse by an adult associated with the institution as follows:</p> <ol style="list-style-type: none"> a. The offence should apply where: <ol style="list-style-type: none"> i. an adult person knows that there is a substantial risk that another adult person associated with the institution will commit a sexual offence against: <ul style="list-style-type: none"> - a child under 16 - a child of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child ii. the person has the power or responsibility to reduce or remove the risk iii. the person negligently fails to reduce or remove the risk. b. The offence should not be able to be committed by individual foster carers or kinship carers. c. Relevant institutions should be defined to include institutions that operate facilities or provide services to children in circumstances where the children are in the care, supervision or control of the institution. Foster care and kinship care services should be included, but individual foster carers and kinship carers should not be included. Facilities and services provided by religious institutions, and 	Accept	Complete	<p>The Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Bill 2019, passed by the Queensland Legislative Assembly on 9 September 2020 (now <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i>), amended the Criminal Code to create a new criminal offence relating to a failure to protect a child from sexual offence, in an institutional context. The new offence commenced on 5 July 2021.</p>

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	<p>any service or functions performed by persons in religious ministry, should be included.</p> <p>d. State and territory governments should consider the Victorian offence in section 49C of the <i>Crimes Act 1958</i> (Vic) as a useful precedent, with an extension to include children of 16 or 17 years of age if the person associated with the institution is in a position of authority in relation to the child.</p>			
37	<p>All Australian Directors of Public Prosecutions, with assistance from the relevant government in relation to funding, should ensure that prosecution responses to child sexual abuse are guided by the following principles:</p> <p>a. All prosecution staff who may have professional contact with victims of institutional child sexual abuse should be trained to have a basic understanding of the nature and impact of child sexual abuse – and institutional child sexual abuse in particular – and how it can affect people who are involved in a prosecution process, including those who may have difficulties dealing with institutions or person in positions of authority.</p> <p>b. While recognising the complexity of prosecution staffing and court timetables, prosecution agencies should recognise the benefit to victims and their families and survivors of continuity in prosecution team staffing and should take steps to facilitate, to the extent possible, continuity in staffing of the prosecution team involved in a prosecution.</p> <p>c. Prosecution agencies should continue to recognise the importance to victims and their families and survivors of the prosecution agency maintaining regular communication with them to keep them informed of the status of the</p>	Accept	Complete	<p>ODPP responses to child sexual abuse are guided by the recommended principles.</p> <p>Additional Victim Liaison Officers were recruited in 2020 to facilitate regular communication with, and updating, complainants. The Queensland Government also funds witness assistance services provided by non-government organisations, such as Protect All Children Today, to keep victims and survivors and their families informed, and to ensure they are put in contact with relevant support services.</p>

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	<p>prosecution unless they have asked not to be kept informed.</p> <p>d. Witness Assistance Services should be funded and staffed to ensure that they can perform their task of keeping victims and their families and survivors informed and ensuring that they are put in contact with relevant support services, including staff trained to provide a culturally appropriate service for Aboriginal and Torres Strait Islander victims and survivors. Specialist services for children should also be considered.</p> <p>e. Particularly in relation to historical allegations of institutional child sexual abuse, prosecution staff who are involved in giving early charge advice or in prosecuting child sexual abuse matters should be trained to:</p> <ul style="list-style-type: none"> i. be non-judgmental and recognise that many victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record ii. focus on the credibility of the complaint or allegation rather than focusing only on the credibility of the complainant. <p>f. Prosecution agencies should recognise that children with disability are at a significantly increased risk of abuse, including child sexual abuse. Prosecutors should take this increased risk into account in any decisions they make in relation to prosecuting child sexual abuse offences.</p>			
38	Each state and territory government should facilitate the development of standard material to provide to complainants or other witnesses in child sexual abuse trials to better inform them about giving evidence. The development of the standard material should be led by Directors of Public Prosecutions in consultation	Accept	Complete	The ODPP has developed and provides comprehensive information to complainants. Factsheets on a variety of aspects of the criminal justice experience are available, including in relation to court processes, information for

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	<p>with Witness Assistance Services, public defenders (where available), legal aid services and representatives of the courts to ensure that it:</p> <ul style="list-style-type: none"> a. is likely to be of adequate assistance for complainants who are not familiar with criminal trials and giving evidence b. is fair to the accused as well as to the prosecution c. does not risk rehearsing or coaching the witness. 			<p>victims of sexual offences, pre-recording evidence of child witnesses and giving evidence as a special witness.</p> <p>Victims Assist Queensland also publishes 'A guide for victims of crime in Queensland', which is available online.</p>
39	<p>All Australian Directors of Public Prosecutions should ensure that prosecution charging and plea decisions in prosecutions for child sexual abuse offences are guided by the following principles:</p> <ul style="list-style-type: none"> a. Prosecutors should recognise the importance to complainants of the correct charges being laid as early as possible so that charges are not significantly downgraded or withdrawn at or close to trial. Prosecutors should provide early advice to police on appropriate charges to lay when such advice is sought. b. Regardless of whether such advice has been sought, prosecutors should confirm the appropriateness of the charges as early as possible once they are allocated the prosecution to ensure that the correct charges have been laid and to minimise the risk that charges will have to be downgraded or withdrawn closer to the trial date. c. While recognising the benefit of securing guilty pleas, prosecution agencies should also recognise that it is important to complainants – and to the criminal justice system – that the charges for which a guilty plea is accepted reasonably reflect the true criminality of the abuse they suffered. d. Prosecutors must endeavour to ensure that they allow adequate time to consult the complainant and the police in 	Accept	Complete	<p>In Queensland, prosecution charge and plea decisions for child sexual abuse offences are guided by the recommended principles in accordance with the Director's guidelines, which applies to all staff of the ODPP and others acting on behalf of the Director of Public Prosecutions, and to police.</p>

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	<p>relation to any proposal to downgrade or withdraw charges or to accept a negotiated plea and that the complainant is given the opportunity to obtain assistance from relevant witness assistance officers or other advocacy and support services before they give their opinion on the proposal. If the complainant is a child, prosecutors must endeavour to ensure that they give the child the opportunity to consult their carer or parents unless the child does not wish to do so.</p>			
40	<p>Each Australian Director of Public Prosecutions should:</p> <ol style="list-style-type: none"> have comprehensive written policies for decision-making and consultation with victims and police publish all policies online and ensure that they are publicly available provide a right for complainants to seek written reasons for key decisions, without detracting from an opportunity to discuss reasons in person before written reasons are provided. 	Accept in principle	Complete	ODPP has comprehensive written policies for decision-making and consultation with victims and police outlined in the Director's guidelines.
41	Each Australian Director of Public Prosecutions should establish a robust and effective formalised complaints mechanism to allow victims to seek internal merits review of key decisions.	Accept in principle	Ongoing	<p>The intent of the recommendation is reflected in recommendation 50 of the Taskforce Report 2, which has been supported in principle by the Queensland Government.</p> <p>The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.</p>
42	Each Australian Director of Public Prosecutions should establish robust and effective internal audit processes to audit their compliance with policies for decision-making and consultation with victims and police.	Accept in principle	Ongoing	See above recommendation (41).
43	Each Australian Director of Public Prosecutions should publish the existence of their complaints mechanism and internal audit	Accept in principle	Ongoing	See above recommendation (41).

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	processes and data on their use and outcomes online and in their annual reports.			
44	In order to ensure justice for complainants and the community, the laws governing the admissibility of tendency and coincidence evidence in prosecutions for child sexual abuse offences should be reformed to facilitate greater admissibility and cross-admissibility of tendency and coincidence evidence and joint trials.	Accept in principle	Ongoing	<p>The Queensland Government notes the intent of the recommendation is reflected in recommendation 75 of the Taskforce Report 2, which has been supported by the Queensland Government.</p> <p>The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.</p>
45	<p>Tendency or coincidence evidence about the defendant in a child sexual offence prosecution should be admissible:</p> <ul style="list-style-type: none"> a. if the court thinks that the evidence will, either by itself or having regard to the other evidence, be 'relevant to an important evidentiary issue' in the proceeding, with each of the following kinds of evidence defined to be 'relevant to an important evidentiary issue' in a child sexual offence proceeding: <ul style="list-style-type: none"> i. evidence that shows a propensity of the defendant to commit particular kinds of offences if the commission of an offence of the same or a similar kind is in issue in the proceeding ii. evidence that is relevant to any matter in issue in the proceeding if the matter concerns an act or state of mind of the defendant and is important in the context of the proceeding as a whole b. unless, on the application of the defendant, the court thinks, having regard to the particular circumstances of the proceeding, that both: <ul style="list-style-type: none"> i. admission of the evidence is more likely than not to result in the proceeding being unfair to the defendant 	Accept in principle	Ongoing	See above recommendation (44).

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	<ul style="list-style-type: none"> ii. if there is a jury, the giving of appropriate directions to the jury about the relevance and use of the evidence will not remove the risk. 			
46	Common law principles or rules that restrict the admission of propensity or similar fact evidence should be explicitly abolished or excluded in relation to the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution.	Accept in principle	Ongoing	See above recommendation (44).
47	Issues of concoction, collusion or contamination should not affect the admissibility of tendency or coincidence evidence about the defendant in a child sexual offence prosecution. The court should determine admissibility on the assumption that the evidence will be accepted as credible and reliable, and the impact of any evidence of concoction, collusion or contamination should be left to the jury or other fact-finder.	Accept in principle	Ongoing	See above recommendation (44).
48	Tendency or coincidence evidence about a defendant in a child sexual offence prosecution should not be required to be proved beyond reasonable doubt.	Accept in principle	Ongoing	See above recommendation (44).
49	Evidence of: <ul style="list-style-type: none"> a. the defendant's prior convictions b. acts for which the defendant has been charged but not convicted (other than acts for which the defendant has been acquitted) should be admissible as tendency or coincidence evidence if it otherwise satisfies the test for admissibility of tendency or coincidence evidence about a defendant in a child sexual offence prosecution.	Accept in principle	Ongoing	See above recommendation (44).

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50	Australian governments should introduce legislation to make the reforms we recommend to the rules governing the admissibility of tendency and coincidence evidence.	Accept in principle	Ongoing	See above recommendation (44).
51	The draft provisions in Appendix N provide for the recommended reforms for Uniform Evidence Act jurisdictions. Legislation to the effect of the draft provisions should be introduced for Uniform Evidence Act jurisdictions and non-Uniform Evidence Act jurisdictions.	Accept in principle	Ongoing	See above recommendation (44).
52	<p>State and territory governments should ensure that the necessary legislative provisions and physical resources are in place to allow for the prerecording of the entirety of a witness's evidence in child sexual abuse prosecutions. This should include both:</p> <ul style="list-style-type: none"> a. in summary and indictable matters, the use of a pre-recorded investigative interview as some or all of the witness's evidence in chief b. in matters tried on indictment, the availability of pre-trial hearings to record all of a witness's evidence, including cross-examination and re-examination, so that the evidence is taken in the absence of the jury and the witness need not participate in the trial itself. 	Accept	Complete	<p>The <i>Evidence Act 1977</i> (Qld) has provisions allowing pre-recording of the evidence of children and other special witnesses.</p> <p>Queensland courts are equipped with the necessary physical resources to produce high quality pre-recording and audio-visual playback recordings.</p>
53	<p>Full prerecording should be made available for:</p> <ul style="list-style-type: none"> a. all complainants in child sexual abuse prosecutions b. any other witnesses who are children or vulnerable adults c. any other prosecution witness that the prosecution considers necessary. 	Accept in principle	Ongoing	<p>The intent of the recommendation is reflected in recommendation 55 of Taskforce Report 2, which has been supported by the Queensland Government.</p> <p>The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.</p>
54	Where the prerecording of cross-examination is used, it should be accompanied by ground rules hearings to maximise the benefits of such a procedure.	Accept in principle	Complete	Queensland's existing legislative framework allows the court to preside over preliminary hearings and to give directions and orders relating to the pre-recording of a witness' evidence.

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55	State and territory governments should work with courts to improve the technical quality of closed-circuit television and audio-visual links and the equipment used and staff training in taking and replaying pre-recorded and remote evidence.	Accept	Complete	The pre-recording and audio-visual playback facilities in Queensland courts are robust and produce high quality recording in locations that currently pre-record and take remote evidence.
56	State and territory governments should introduce legislation to require the audio-visual recording of evidence given by complainants and other witnesses that the prosecution considers necessary in child sexual abuse prosecutions, whether tried on indictment or summarily, and to allow these recordings to be tendered and relied on as the relevant witness's evidence in any subsequent trial or retrial. The legislation should apply regardless of whether the relevant witness gives evidence live in court, via closed circuit television or in a pre-recorded hearing.	Accept in principle	Ongoing	The intent of the recommendation is reflected in recommendation 54 of the Taskforce Report 2, which has been supported by the Queensland Government. The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.
57	State and territory governments should ensure that the courts are adequately resourced to provide this facility, in terms of both the initial recording and its use in any subsequent trial or retrial.	Accept in principle	Ongoing	The intent of the recommendation is reflected in recommendation 52 of the Taskforce Report 2, which has been supported by the Queensland Government. The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.
58	If it is not practical to record evidence given live in court in a way that is suitable for use in any subsequent trial or retrial, prosecution guidelines should require that the fact that a witness may be required to give evidence again in the event of a retrial be discussed with witnesses when they make any choice as to whether to give evidence via prerecording, closed circuit television or in person.	Accept in principle	Complete	ODPP has developed and provides comprehensive information to complainants. Factsheets on a variety of aspects of the criminal justice experience are available including in relation to court processes, information for victims of sexual offences, pre-recording evidence of child witnesses and giving evidence as a special witness.
59	State and territory governments should establish intermediary schemes similar to the Registered Intermediary Scheme in England and Wales which are available to any prosecution witness with a communication difficulty in a child sexual abuse prosecution. Governments should ensure that the scheme:	Accept	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the Criminal Code to establish a legislative framework to pilot an intermediary scheme. The pilot commenced on 5 July 2021 and will be evaluated after two years of operation.

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	<ul style="list-style-type: none"> a. requires intermediaries to have relevant professional qualifications to assist in communicating with vulnerable witnesses b. provides intermediaries with training on their role and in understanding that their duty is to assist the court to communicate with the witness and to be impartial c. makes intermediaries available at both the police interview stage and trial stage d. enables intermediaries to provide recommendations to police and the court on how best to communicate with the witness and to intervene in an interview or examination where they observe a communication breakdown. 			
60	<p>State and territory governments should work with their courts administration to ensure that ground rules hearings are able to be held – and are in fact held – in child sexual abuse prosecutions to discuss the questioning of prosecution witnesses with specific communication needs, whether the questioning is to take place via a pre-recorded hearing or during the trial. This should be essential where a witness intermediary scheme is in place and should allow, at a minimum, a report from an intermediary to be considered.</p>	Accept	Ongoing	<p>The intent of the recommendation is reflected in recommendation 57 of the Taskforce Report 2, which has been supported by the Queensland Government.</p> <p>The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.</p>
61	<p>The following special measures should be available in child sexual abuse prosecutions for complainants, vulnerable witnesses and other prosecution witnesses where the prosecution considers it necessary:</p> <ul style="list-style-type: none"> a. giving evidence via closed circuit television or audio-visual link so that the witness is able to give evidence from a room away from the courtroom b. allowing the witness to be supported when giving evidence, whether in the courtroom or remotely, including, for example, through the presence of a support person or a 	Accept in principle	Ongoing	<p>The intent of the recommendation is reflected in recommendation 53 of the Taskforce Report 2, which has been supported by the Queensland Government.</p> <p>The intent of the recommendation will be progressed as part of the implementation of the Taskforce recommendations.</p>

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	<p>support animal or by otherwise creating a more child-friendly environment</p> <p>c. if the witness is giving evidence in court, using screens, partitions or one-way glass so that the witness cannot see the accused while giving evidence</p> <p>d. clearing the public gallery of a courtroom during the witness's evidence</p> <p>e. the judge and counsel removing their wigs and gowns.</p>			
62	<p>State and territory governments should introduce legislation to allow a child's competency to give evidence in child sexual abuse prosecutions to be tested as follows:</p> <p>a. Where there is any doubt about a child's competence to give evidence, a judge should establish the child's ability to understand basic questions asked of them by asking simple, non-theoretical questions – for example, about their age, school, family et cetera.</p> <p>b. Where it does not appear that the child can give sworn evidence, the judge should simply ask the witness for a promise to tell the truth and allow the examination of the witness to proceed.</p>	Accept in principle	Complete	<p>The existing provisions of the <i>Evidence Act 1977</i> (Qld) set out the test in Queensland to determine a person's competency to give evidence.</p> <p>The Supreme and District Court Benchbook also provides guidance to the judiciary on establishing a child's competence to give evidence.</p>
63	<p>State and territory governments should provide adequate interpreting services such that any witness in a child sexual abuse prosecution who needs an interpreter is entitled to an interpreter who has sufficient expertise in their primary language, including sign language, to provide an accurate and impartial translation.</p>	Accept in principle	Complete	<p>The existing provisions of the <i>Evidence Act 1977</i> (Qld) provide that in a criminal proceeding, a court may order that the State provide an interpreter for a complainant, defendant or witness, if the court is satisfied that it is in the interests of justice to do so.</p>
64	<p>State and territory governments should consider or reconsider the desirability of partial codification of judicial directions now that Victoria has established a precedent from which other jurisdictions could develop their own reforms.</p>	Accept in principle	Complete	<p>The Queensland Government considered codification of judicial directions in accordance with the recommendation.</p> <p>The current approach of judicial directions being contained in the Supreme and District Court Benchbook, which is managed and updated by the judiciary and published on the</p>

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				Queensland Courts website, is considered appropriate in line with the intent of the recommendation.
65	<p>Each state and territory government should review its legislation and introduce any amending legislation necessary to ensure that it has the following provisions in relation to judicial directions and warnings:</p> <p>a. Delay and credibility: Legislation should provide that:</p> <ol style="list-style-type: none"> i. there is no requirement for a direction or warning that delay affects the complainant’s credibility ii. the judge must not direct, warn or suggest to the jury that delay affects the complainant’s credibility unless the direction, warning or suggestion is requested by the accused and is warranted on the evidence in the particular circumstances of the trial iii. in giving any direction, warning or comment, the judge must not use expressions such as ‘dangerous or unsafe to convict’ or ‘scrutinise with great care’. <p>b. Delay and forensic disadvantage: Legislation should provide that:</p> <ol style="list-style-type: none"> i. there is no requirement for a direction or warning as to forensic disadvantage to the accused ii. the judge must not direct, warn or suggest to the jury that delay has caused forensic disadvantage to the accused unless the direction, warning or suggestion is requested by the accused and there is evidence that the accused has suffered significant forensic disadvantage iii. the mere fact of delay is not sufficient to establish forensic disadvantage 	Accept in principle	Complete	<p>The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the <i>Evidence Act 1977</i> (Qld) to provide that in a criminal proceeding if a judge is satisfied the defendant has suffered a significant forensic disadvantage because of the effects of delay in prosecuting an offence (including a delay in reporting the offence), the judge must inform the jury of:</p> <ul style="list-style-type: none"> • the nature of the disadvantage; and • the need to take the disadvantage into account when considering the evidence. <p>However, a significant forensic disadvantage is not established by the mere fact of delay alone.</p> <p>The judge must not warn or suggest to the jury that it would be ‘dangerous or unsafe to convict’ or ‘the complainant’s evidence should be scrutinised with great care’. Further, the judge does not need to give the direction if there are good reasons for not doing so.</p>

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	<ul style="list-style-type: none"> iv. in giving any direction, warning or comment, the judge should inform the jury of the nature of the forensic disadvantage suffered by the accused v. in giving any direction, warning or comment, the judge must not use expressions such as 'dangerous or unsafe to convict' or 'scrutinise with great care'. c. Uncorroborated evidence: Legislation should provide that the judge must not direct, warn or suggest to the jury that it is 'dangerous or unsafe to convict' on the uncorroborated evidence of the complainant or that the uncorroborated evidence of the complainant should be 'scrutinised with great care'. d. Children's evidence: Legislation should provide that: <ul style="list-style-type: none"> i. the judge must not direct, warn or suggest to the jury that children as a class are unreliable witnesses ii. the judge must not direct, warn or suggest to the jury that it would be 'dangerous or unsafe to convict' on the uncorroborated evidence of a child or that the uncorroborated evidence of a child should be 'scrutinised with great care' iii. the judge must not give a direction or warning about, or comment on, the reliability of a child's evidence solely on account of the age of the child. 			
66	The New South Wales Government, the Queensland Government and the government of any other state or territory in which <i>Markuleski</i> directions are required should consider introducing legislation to abolish any requirement for such directions.	Accept	Complete	The Queensland Government has considered whether legislation is required to abolish any requirement to give <i>Markuleski</i> directions. As there is no legislation or case law requiring a <i>Markuleski</i> direction to be given in Queensland, it is considered that the Supreme and District Court Benchbook provides adequate guidance on when such a direction is appropriate.

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67	State and territory governments should support and encourage the judiciary, public prosecutors, public defenders, legal aid and the private Bar to implement regular training and education programs for the judiciary and legal profession in relation to understanding child sexual abuse and current social science research in relation to child sexual abuse.	Accept	Complete	The Queensland Government currently supports, and will continue to support and encourage, regular training and education programs within the legal sector in relation to child sexual abuse.
68	<p>Relevant Australian governments should ensure that bodies such as:</p> <ul style="list-style-type: none"> a. the Australasian Institute of Judicial Administration b. the National Judicial College of Australia c. the Judicial Commission of New South Wales d. the Judicial College of Victoria <p>are adequately funded to provide leadership in making relevant information and training available in the most effective forms to the judiciary and, where relevant, the broader legal profession so that they understand and keep up to date with current social science research that is relevant to understanding child sexual abuse.</p>	Accept in principle	Complete	<p>The Queensland Government contributes funding to the Australasian Institute of Judicial Administration and the National Judicial College of Australia.</p> <p>The Queensland Government will continue to contribute funding as appropriate to ensure relevant information and training is available to the judiciary.</p>
69	In any state or territory where provisions such as those in sections 79(2) and 108C of the Uniform Evidence Act or their equivalent are not available, the relevant government should introduce legislation to allow for expert evidence in relation to the development and behaviour of children generally and the development and behaviour of children who have been victims of child sexual abuse offences.	Noted	Complete	In consultation with the judiciary and relevant stakeholders, the Queensland Government considers the current approach to expert evidence is appropriate and changes to the legislative framework are not proposed.
70	Each state and territory government should lead a process to consult the prosecution, defence, judiciary and academics with relevant expertise in relation to judicial directions containing educative information about children and the impact of child sexual abuse, with a view to settling standard directions and introducing legislation as soon as possible to authorise and require the	Noted	Complete	In consultation with ODPP, the judiciary and relevant stakeholders, the Queensland Government considers that this issue is most appropriately left to the discretion of judges as informed by the facts and circumstances of individual proceedings.

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	directions to be given. The National Child Sexual Assault Reform Committee's recommended mandatory judicial directions and the Victorian Government's proposed directions on inconsistencies in the complainant's account should be the starting point for the consultation process, subject to the removal of the limitation in the third direction recommended by the National Child Sexual Assault Reform Committee in relation to children's responses to sexual abuse so that it can apply regardless of the complainant's age at trial.			
71	In advance of any more general codification of judicial directions, each state and territory government should work with the judiciary to identify whether any legislation is required to permit trial judges to assist juries by giving relevant directions earlier in the trial or to otherwise assist juries by providing them with more information about the issues in the trial. If legislation is required, state and territory governments should introduce the necessary legislation.	Accept in principle	Complete	In consultation with the judiciary and other relevant stakeholders, the Queensland Government considers existing procedures appropriately provide for trial judges to give relevant directions to assist juries. Directions may be given at any stage during the trial in Queensland, and the Supreme and District Court Benchbook outlines a number of directions that may be given before summing up.
72	Each state and territory government should work with its courts, prosecution, legal aid and policing agencies to ensure that delays are reduced and kept to a minimum in prosecutions for child sexual abuse offences, including through measures to encourage: <ul style="list-style-type: none"> a. the early allocation of prosecutors and defence counsel b. the Crown – including subsequently allocated Crown prosecutors – to be bound by early prosecution decisions c. appropriate early guilty pleas d. case management and the determination of preliminary issues before trial. 	Accept in principle	Ongoing	The intent of the recommendation is reflected in recommendation 71 of the Taskforce Report 2, which has been supported in principle by the Queensland Government. The intent of the recommendation will be progressed as part of the implementation of Taskforce recommendations.
73	In those states and territories that have a qualified privilege in relation to sexual assault communications, the relevant state or territory government should work with its courts, prosecution and legal aid agencies to implement any necessary procedural or case	Accept	Complete	The <i>Victims of Crime Assistance and Other Legislation Amendment Act 2017</i> amended the <i>Evidence Act 1977</i> (Qld) to provide a sexual assault counselling privilege in Queensland. An absolute privilege applies in preliminary proceedings, for example a bail proceeding, and a qualified

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	management reforms to ensure that complainants are effectively able to claim the privilege without risking delaying the trial.			privilege in other proceedings. The amendments commenced on 1 December 2017. The Queensland Government continues to provide funding for sexual assault counselling support services. Services include legal advice to, and representation of, sexual assault victims and counsellors who seek to prevent disclosure of counselling communications in court.
74	All state and territory governments (other than New South Wales and South Australia) should introduce legislation to provide that good character be excluded as a mitigating factor in sentencing for child sexual abuse offences where that good character facilitated the offending, similar to that applying in New South Wales and South Australia.	Accept	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the <i>Penalties and Sentences Act 1992</i> (Qld) to prohibit reliance on character as a mitigating factor where that character facilitated the offending, when sentencing an offender for a child sexual offence, including child exploitation and similar offences.
75	State and territory governments should introduce legislation to require sentencing courts, when setting a sentence in relation to child sexual abuse offences involving multiple discrete episodes of offending and/or where there are multiple victims, to indicate the sentence that would have been imposed for each offence had separate sentences been imposed.	Accept	Complete	The Queensland Government considers the existing Queensland sentencing framework appropriately ensures that sentences for child sexual offences recognise distinct behaviour and are transparent, in line with the intent of the recommendation.
76	State and territory governments should introduce legislation to provide that sentences for child sexual abuse offences should be set in accordance with the sentencing standards at the time of sentencing instead of at the time of the offending, but the sentence must be limited to the maximum sentence available for the offence at the date when the offence was committed.	Accept in principle	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the <i>Penalties and Sentences Act 1992</i> (Qld) to clarify that persons convicted of child sexual offences are sentenced according to the sentencing standards at the time of sentence, rather than those that existed at the time of the offence.
77	State and territory governments, in consultation with their respective Directors of Public Prosecutions, should improve the information provided to victims and survivors of child sexual abuse offences to:	Accept	Complete	Victims Assist Queensland publishes a range of information for victims of crime, including 'A guide for victims of crime in Queensland'. The Guide includes advice to victims of crime

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	<ul style="list-style-type: none"> a. give them a better understanding of the role of the victim impact statement in the sentencing process b. better prepare them for making a victim impact statement, including in relation to understanding the sort of content that may result in objection being taken to the statement or parts of it. 			who wish to provide a victim impact statement in the sentencing process (section 8).
78	State and territory governments should ensure that, as far as reasonably practicable, special measures to assist victims of child sexual abuse offences to give evidence in prosecutions are available for victims when they give a victim impact statement, if they wish to use them.	Accept in principle	Complete	The existing provisions of the <i>Penalties and Sentences Act 1992</i> (Qld) provide for special arrangements to assist victims to read victim impact statements into evidence. This includes providing for emotional support for the victim, for the victim to provide their statement out of the view of the offender and to provide the statement by means of an audio-visual link.
79	<p>State and territory governments should introduce legislation, where necessary, to expand the Director of Public Prosecution's right to bring an interlocutory appeal in prosecutions involving child sexual abuse offences so that the appeal right:</p> <ul style="list-style-type: none"> a. applies to pre-trial judgments or orders and decisions or rulings on the admissibility of evidence, but only if the decision or ruling eliminates or substantially weakens the prosecution's case b. is not subject to a requirement for leave c. extends to 'no case' rulings at trial. 	Accept in principle	Complete	The <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i> amended the Criminal Code to vest the Director of Public Prosecutions with a right of interlocutory appeal in relation to a question of law arising under a direction or ruling given by a court and against an order staying proceedings or further proceedings on an indictment.
80	State and territory governments should work with their appellate court and the Director of Public Prosecutions to ensure that the court is sufficiently well resourced to hear and determine interlocutory appeals in prosecutions involving child sexual abuse offences in a timely manner.	Accept	Complete	The Queensland Government will continue to ensure the courts are appropriately resourced.
81	Directors of Public Prosecutions should amend their prosecution guidelines, where necessary, in relation to the decision as to whether there should be a retrial following a successful conviction	Accept	Complete	The Director's Guidelines, which apply to all staff of the ODPP and police, currently requires consultation with victims and police to ensure they are fully informed of significant

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	appeal in child sexual abuse prosecutions. The guidelines should require that the prosecution consult the complainant and relevant police officer before the Director of Public Prosecutions decides whether to retry a matter.			prosecutorial decisions and the reasons for such decisions. This approach is also consistent with the obligations to victims under the <i>Victims of Crime Assistance Act 2009</i> (Qld) and the Charter of victim's rights under that Act.
82	<p>State and territory governments should ensure that a relevant government agency, such as the Office of the Director of Public Prosecutions, is monitoring the number, type and success rate of appeals in child sexual abuse prosecutions and the issues raised to:</p> <ul style="list-style-type: none"> a. identify areas of the law in need of reform b. ensure any reforms – including reforms arising from the Royal Commission’s recommendations in relation to criminal justice, if implemented – are working as intended. 	Accept	Complete	ODPP collects data on appeals. The data is available to identify any areas for reform and to monitor the impacts of reforms, including those relating to the recommendations of the Royal Commission.
83	State and territory governments (other than the Northern Territory) should give further consideration to whether the abolition of the presumption that a male under the age of 14 years is incapable of having sexual intercourse should be given retrospective effect and whether any immunity which has arisen as a result of the operation of the presumption should be abolished. State and territory governments (other than the Northern Territory) should introduce any legislation they consider necessary as a result of this consideration.	Accept	Complete	<p>In 1989, Queensland’s Criminal Code was amended to abolish the presumption that a male under the age of 14 years was incapable of having sexual intercourse.</p> <p>The Queensland Government considered whether the presumption should be given retrospective effect in accordance with the recommendation and determined the existing legislative framework provides appropriate protections.</p>
84	State and territory governments should review their legislation – and if necessary introduce amending legislation – to ensure that complainants in child sexual abuse prosecutions do not have to give evidence on any additional occasion in circumstances where the accused, or one of two or more co-accused, is a juvenile at the time of prosecution or was a juvenile at the time of the offence.	Accept	Complete	The Queensland Government reviewed the relevant legislation and considers the existing framework under the <i>Evidence Act 1977</i> (Qld) and <i>Youth Justice Act 1992</i> (Qld) appropriately provides protections for complainants in accordance with the recommendation.
85	State and territory governments should keep the interaction of:	Accept	Complete	The Queensland Government continues to regularly review and monitor the effectiveness of Queensland’s Criminal

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	<p>a. their legislation relevant to regulatory responses to institutional child sexual abuse</p> <p>b. their crimes legislation and the crimes legislation of all other Australian jurisdictions, particularly in relation to child sexual abuse offences and sex offender registration</p> <p>under regular review to ensure that their regulatory responses work together effectively with their relevant crimes legislation and the relevant crimes legislation of all other Australian jurisdictions in the interests of responding effectively to institutional child sexual abuse.</p>			Code and regulatory responses, including child sexual abuse offences.