

MESSAGE FROM THE DIRECTOR-GENERAL

Department of Emergency Services

The Department of Emergency Services makes a significant contribution to the Queensland Government's policy priority of: *Protecting our children and enhancing community safety* through its core business of providing emergency service responses to communities across the State.

In March 2004 Government released a blueprint for reforming the child protection system in Queensland. This Department has identified ways it can contribute to the Government's enhanced focus on child protection by developing appropriate policy and providing training and resource materials to increase awareness of child protection issues amongst staff who work with children.

The contents of this information kit will contribute to the knowledge of our people who deliver services to children and families across the State and assist them to know how to respond if they are concerned about a child or young person. Training will be provided for those staff who have a more direct role in working with children and young people.

Unfortunately not all children enjoy the benefits of growing up in a secure and caring environment. The report by the Australian Institute of Health and Welfare (AIHW) *Child Protection Australia 2003/2004* shows that the number of notifications of suspected child abuse has more than doubled since 1999/2000¹.

Our colleagues in the Department of Child Safety and the Queensland Police Service have legislative responsibility to respond to and investigate any reports of suspected child abuse. Both agencies rely on members of the public and professionals who work with families to report their concerns about children so that an appropriate response can be provided.

Staff in the Department of Emergency Services can assist families get the help and support they need to care for their children by making a call to the Department of Child Safety or the Queensland Police Service.

This kit provides information about who to call if you are concerned about a child and what information is useful to provide. The importance of acting on any concerns is emphasised. You may provide a vital piece of information that enables the Department of Child Safety or the Queensland Police Service to act to protect a child.

I encourage staff to familiarise themselves with the information provided in this Kit and I acknowledge the contribution of the Department of Child Safety and the Commission for Children and Young People and Child Guardian in its preparation.



Michael Kinnane ESM, FAIM
Director-General

¹Child Protection Australia 2003-2004. Australian Institute of Health and Welfare.



Department of Emergency Services

INDICATORS OF CHILD ABUSE¹

There are a number of physical and behavioural signs that indicate a child or young person may have been abused and this information sheet provides a brief overview of some of the behaviours or injuries in children and young people that can give cause for concern. These indicators are more significant if they are severe or have been present for a period of time and there is no explanation for their appearance.

It is important to recognise that the presence of these behavioural or physical signs in a child do not necessarily indicate a child or young person has been abused. Keep an open mind when considering the signs or symptoms of abuse to a child.

It is also important to remember that things are not always obvious or typical and departmental staff and volunteers should feel free to contact the Department of Child Safety about any reasonable suspicion they have that a child has been abused. The Department of Child Safety encourages people to call and talk through their concerns with a professional child protection worker. It may turn out that what they have observed is normal developmental behaviour or nothing to be concerned about but the key message is – if in doubt then tell someone.

There are some families where children may be at higher risk of abuse:

- Families where there is substance abuse.
- Families where there is domestic violence.
- Families where a parent has a mental illness²

In addition, families where children are at risk are often isolated from extended family, neighbours and the broader community.

Some indicators that a child has been abused or is at risk include:

(Note: these are *indicators* only – not definitive proof that abuse has occurred and they should be viewed in that context)

Physical

- Head/face injuries.
- Unexplained injuries to other parts of the body.
- Fractures in a child who is not yet mobile (baby or toddler).
- Bruising that has the outline of the object used to make the bruise e.g. hand print, belt buckle.
- Poor hygiene.
- Unexplained bruising on the back of the body e.g. legs, back, shoulders.
- Ingestion of poisons, medication, or household substances in young children.

Behavioural

- A child who presents as being fearful of their parents, hesitant to go home after an activity, first to arrive and last to leave.
- A child who is unwilling to remove items of their clothing to take part in an activity e.g. wears long sleeves, unwilling to get changed into swimming togs. (Note: this is also part of normal adolescent behaviour).
- Sexualised behaviour or knowledge inappropriate for the age of the child.
- Self harming or extreme risk taking behaviour.
- Change in behaviour e.g. becoming withdrawn or anxious, bedwetting or nightmares, poor concentration at school, aggressiveness, depression.
- A child who seeks adult affection to an extreme level.
- A child discloses to a trusted adult that they have been harmed.

Environmental

- An extremely chaotic, unsafe and unclean household environment.

Example

A Cadet Leader has noticed a gradual change in the behaviour of one of the young members of the Cadet Group. He is becoming withdrawn and sometimes aggressive towards the other Cadets. He has had some bruises on his upper arms and now always wears his long sleeved jumper. This week he has a black eye. When the Cadet Leader comments on his “shiner” he says he must have bumped his head on the car door. The Cadet Leader makes brief notes about his observations over the past few weeks and then telephones the local Department of Child Safety office to talk to someone about his worries for this young man.

Conclusion

The Cadet Leader has acted appropriately in this scenario by reporting his concerns to the Department of Child Safety. He has observed a gradual change in the cadet’s behaviour and unexplained injuries (both possible indicators of physical abuse) and has documented his observations.

¹Prepared using resource materials from the Department of Child Safety and Department of Communities.

²This refers to untreated or poorly managed mental illness. The majority of children raised by a parent with a mental illness are not at risk.



Department of Emergency Services

DIFFERENT TYPES OF CHILD ABUSE¹

Child abuse is the misuse of power by adults over children that endangers or impairs a child's physical or emotional health and development. It includes: physical abuse, emotional abuse, neglect, sexual abuse or exploitation.

Within each type of abuse there is a continuum from mild to life threatening. Child abuse is usually a pattern or cycle, not a one-off incident. As distinct from the occasional verbal 'outburst' in a generally loving home, abuse is a pattern of negative and harmful interactions, which cause long-term damage unless there is intervention.

The younger the child is, the more vulnerable they are and the more serious the consequences are likely to be. When the child's parents are unable or unwilling to protect them, child protection services may be needed.

The Department of Child Safety and the Queensland Police Service are the only statutory authorities in Queensland with the power to respond to and investigate reports of abuse.

Types of abuse include:

Physical abuse: punching, slapping, shaking, burning, biting, throwing a child, strangulation.

Emotional abuse: constant criticism, scapegoating, name-calling, belittling, excessive teasing, ignoring a child, punishing normal social behaviours, exposure to domestic violence, withholding praise and affection.

Neglect: failing to meet the child's basic needs for adequate supervision, food, clothing, shelter, safety, hygiene, medical care, education, love and affection and failure to use available resources to meet those needs. In its extreme form, abandonment.

Sexual abuse or exploitation: Child sexual abuse is any sexual act or sexual threat imposed upon a child. Coercion (physical and emotional) is intrinsic to child sexual abuse. This distinguishes it from consensual peer sexual activity.

Sexual abuse can include exposure, indecent phone calls, fondling, voyeurism, persistent intrusion of a child's privacy, penetration, rape, incest, involvement with pornography, child prostitution. Secrecy, misuse of power and the distortion of adult-child relationships are key factors in the sexual abuse of children. Most abusive behaviour is perpetrated by someone the child knows and trusts (a parent, step-parent, relative, family friend or care provider). Only a small proportion of child sexual abuse is by a stranger.

Most people want to love and care for their children. Harm can occur when stress, tiredness, a lack of skills, information and support combine to make the pressures of caring for children overwhelming. Given the right circumstances, anyone has the potential to harm a child. Given the right circumstances, skills and resources, most people who cause harm to a child can stop the behaviour.

¹Sourced from the Child Abuse Prevention Public Speaking Kit, Department of Families, 2003. <http://www.communities.qld.gov.au/projectaxis/speakingkit/index.html>



Department of Emergency Services

RESPONDING TO DISCLOSURES¹

Department of Emergency Services (DES) personnel are highly regarded by the Queensland community. Children or young people who are being abused at home may choose to disclose this to someone outside their immediate family who they hold in high regard and whom they can trust. The trusted adult may be a leader within the Cadet Group they belong to, the firefighter adopted by their local school as part of the “Adopt a Fire” program or the paramedic who delivers the PrimeSafe program at their school.

This information sheet provides a range of suggested responses for situations where children or young people choose to share private information with a trusted adult. The suggested responses allow staff and volunteers to provide reassurance while minimising the risk of compromising any future criminal investigation.

It is important that some action is taken when a child makes a disclosure even though they may ask that the information be kept secret and that the person not tell anyone else. It is preferable that any action be taken with the agreement of the child or young person, but it is still important that some action is taken. The departmental staff member or volunteer may be the first person the child has spoken to.

The following dot points provide staff and volunteers with suggested ways of responding to a child or young person who discloses they have been abused. It may not be initially clear who is harming the child and this list of strategies for providing a preliminary response can be used regardless of whether the alleged perpetrator is a member of the child’s family, one of your own colleagues, a volunteer or someone else.

- Try to remain calm - do not express shock, panic or disbelief. Reassure the child that he/she has done the right thing by telling you.
- Find somewhere private to talk where you cannot be overheard. This should not be an office with the door closed but can be in the open walking around.
- Be a listener not an investigator - encourage the child to talk using their own language. Ask just enough questions to be clear about what the child is telling you such as ‘Can you tell me more about that?’ or just nod or say ‘Mmm...’ to let the child know you are listening. Do not conduct any form of interview with the child or ask any leading questions – for example “Did xxx touch you?”
- Stress what has happened is not their fault, say “You are not in trouble, you have not done anything wrong”
- Do not make any promises to the child or young person about keeping the information secret. Explain that you will have to speak to other people in order to get some help for them – preferably with their agreement.

- Act on the basis that the things the child is telling you are true – leave the investigation process to the Police and officers from the Department of Child Safety.
- Do not tell the alleged perpetrator what the child has said about them, regardless of who this person is. Leave this to the Police and officers from the Department of Child Safety.
- Make notes of what the child or young person has told you, any questions you asked or comments and what you did afterwards e.g. “Discussed with my manager and then we called the Department of Child Safety”. Remember to keep any information confidential.
- Contact the Department of Child Safety or the Queensland Police Service.
- If the information disclosed suggests that a colleague may be responsible, the Departmental policy with regard to responding to alleged misconduct must be followed. Refer to the Departmental Code of Conduct.
- Sometimes the information a child shares with you will be distressing and may shock you. Ensure you have someone to talk to about what has happened.

Example

A grade 7 student at the local school discloses to the school’s “Adopt an Ambo” that Dad is coming into her room at night and touching her privately in a way that she does not like. She has tried to tell her Mum but she doesn’t believe her and thinks the story is made up. The paramedic knows the family and is very surprised to hear what this student is telling her. However the officer listens carefully, and makes some notes afterwards and after discussing the incident with the Officer in Charge calls the local Department of Child Safety office to report the things the student said.

Conclusion

This was an appropriate response to the young person’s disclosure. Children and young people disclose to seek help and the adults trusted with very private information about what is happening to a child have a responsibility to act. In some instances a child’s disclosure may be very hard to believe. Remember that it is the role of statutory agencies like the Department of Child Safety or the Queensland Police Service to determine what has actually occurred. These agencies can access additional information as well as previous reports to the Department or Police Service to assist in their investigation. Documenting what has been said is also crucial.

¹Sourced from the Working with Children kit: Commission for Children and Young People and Child Guardian, and Project Axis resources, Department of Communities.



Department of Emergency Services

REPORTING YOUR CONCERNS ABOUT A CHILD OR YOUNG PERSON: WHO TO CALL, WHAT TO SAY, WHAT INFORMATION IS USEFUL TO PROVIDE

The Department of Child Safety and the Queensland Police Service rely on members of the public to contact them if they suspect a child is being abused so they can act on the information they receive to protect the child and work with the family to assist them care for their children. People who have contact with children either through their work or voluntary activities can provide valuable information to these two agencies. In some instances the information they provide may indicate that there is nothing to be concerned about, in other cases their call may provide a vital piece of information that enables the Department or the Police to act.

This information sheet will assist departmental staff and volunteers concerned about a child by providing information about who to call and what information is useful to provide. When a caller contacts a Department of Child Safety Service Centre, the intake officer will guide the person through their call and the information they are able to provide. However it is useful for departmental staff and volunteers to have some understanding of the information that assists child protection professionals assess the risk to a child and determine how best to respond.

The Department of Child Safety receives more than 35,000 notifications each year. In the past three years in Queensland, parents/guardians, friends and neighbours, police officers, school personnel and relatives have been the most frequent source of notifications.¹

The information provided by notifiers is assessed under the following categories:

- Information about the child/young person.
- Information about the nature of the alleged abuse.
- Information about the child's parents/carers.
- Information about the environment in which the child is living.
- Information about the notifier is also recorded unless the caller wishes to remain anonymous.

Reasonable grounds to suspect that a child or young person has been harmed include:²

- A child or young person discloses to you that they have been harmed.
- Someone else e.g. another child, a parent or a staff member tells you that a child has been harmed – in some instances the child may actually be referring to themselves.
- Observations of significant changes in the behaviour of a child or the presence of new, unexplained injuries.
- You witness an incident occurring.

(Also refer to fact sheet: **Indicators of child abuse**).

It is important to document information using the headings below as a guide.

Steps to take if you are concerned about a child or young person³:

- Call the local Child Safety Service Centre⁴ as soon as you can and ask to speak to the intake officer. The intake officer is a tertiary qualified child protection practitioner.
- The initial information the Department of Child Safety will require is⁵:
 - The name, age and address of the child/ren or young person.
 - The reasons why you suspect the child or young person may have been harmed or is at risk of harm. This will include your own observations and anything the child may have told you.
 - Any immediate risk to the child.
 - Who else is in the household.
 - Observations of the household environment.
 - Observations of any adult's behaviour e.g. parent's behaviour towards the child⁶.
 - Any actions you have taken.
 - Your contact details so that the Department of Child Safety can contact you again if necessary.

The Department of Child Safety also welcomes any information that can assist the child protection workers when visiting the home. The majority of child protection workers are female and information that can assist in ensuring their own personal safety is very welcome.

¹Child Protection Queensland - 2004 Child Protection System 'Baseline' Performance Report. Department of Child Safety.

²Working with Children Kit, 2003. Commission for Children and Young People and Child Guardian.

³In most cases the person concerned about a child will discuss the matter with their line manager, program coordinator or another person beforehand.

⁴Contact details are included in the Fact Sheet titled Contact Numbers. A number of new Child Safety Offices are opening during 2005, if unsure which one to call, contact the general enquiries number.

⁵DES officers or volunteers may only have some pieces of information to provide – all information is valuable.

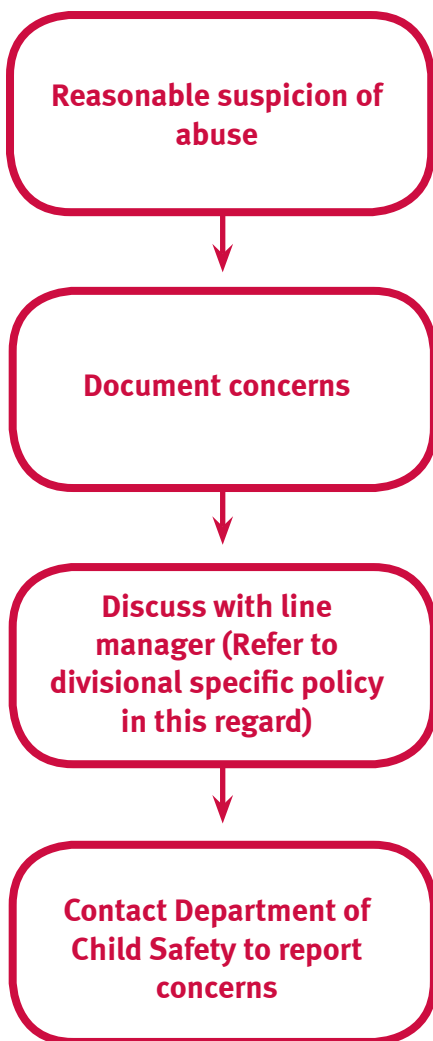
⁶Let the intake officer know if you were present during an emergency situation and that any behaviours will need to be interpreted within this context.



Key messages

- Children and young people can only be protected if concerned individuals report.
- Notifiers are not required to prove anything and their information is received in confidence. The identity of the person reporting is strictly protected.
- It is important to report even if you do not have all the details or you think the information you have is trivial, your call may provide a vital piece of information that is the missing part of the jigsaw and enables the Department of Child Safety or the Police to act.
- The information that is gathered by the Department of Child Safety is recorded and entered on to a computer database. This system contains records of all reports of harm received by the Department.

Reporting suspected abuse to the Department of Child Safety



Refer to fact sheet **Indicators of Abuse** and to the section in this fact sheet that describes reasonable grounds to suspect that a child or young person has been harmed.

Document information using the following categories:

- Name, age and address of the child or young person.
- The reasons why you suspect the child or young person may have been harmed or is at risk of harm.
- Any immediate risk to the child/young person.
- Who else is in the household.
- Observations of the household environment.
- Observations of any adult's behaviour towards the child.
- Actions you have taken.
- Your contact details so that the Department of Child Safety can contact you again if necessary.

Refer to the contact list of Child Safety Service Centres and telephone the nearest office.

Ask to speak to the intake officer – they will guide you through the process.



Department of Emergency Services

THE CHILD PROTECTION SYSTEM IN QUEENSLAND¹

This fact sheet contains information about the roles of the following agencies in protecting children:

- Department of Child Safety
- Queensland Police Service
- Commission for Children and Young People and Child Guardian

While most children and young people in Queensland are appropriately cared for and nurtured within their own family and support networks, there are still those who will require the assistance of one or more human service agencies as part of a planned child protection response.

The child protection system in Queensland consists of the Department of Child Safety, as the lead child protection agency, and a range of government and non-government agencies that provide:

- statutory child protection and alternative care services²; or
- assessment, therapeutic and support services; or
- appropriate investigation and prosecution of relevant criminal offences

The Department of Child Safety

The Department of Child Safety is Queensland's statutory child protection agency with responsibility for the administration and implementation of the *Child Protection Act 1999*. The purpose of this Act is to provide for the protection of children. This involves responding to and investigating reports of suspected child abuse, working with families to help them care for their children and arranging appropriate long-term alternative care for children who do not have a parent able to care for them. The focus of the Department's work is on working with and supporting families to protect their children.

Incidents where a child has been the victim of an attack or an attempted abduction and the parents have acted appropriately to protect their child, would not fall within the auspices of the Department of Child Safety. This would be a police matter.

The *Child Protection Act 1999* provides the legal framework for departmental officers in their work with children and families and it includes a number of principles to guide its administration and inform child protection practice. These principles emphasise the important role of the child's family and the role of child protection workers in supporting families' care for their children. Children and young people are now removed from their parent's care in only a minority of

cases. The main response is to protect children by supporting and assisting the child's family and the majority of children are able to remain at home and be protected within their own family, with Departmental officers working with the child's family to ensure the child's protective needs are met.

There are currently 40 Child Safety Service Centres located across the State staffed by Child Safety Officers with tertiary qualifications in social work and behavioural science degrees. (Contact telephone numbers of these centres are included in this kit).

The Department responds to families in crisis 24 hours a day, seven days a week. The after hours number for the Department's Crisis Care Unit is 1800 177 135.

The Queensland Police Service (QPS)

The Queensland Police Service (QPS) works closely with the Department of Child Safety, responding to notifications of alleged abuse and as partners in developing and delivering specialised training for police officers and child protection practitioners.

In some instances a police officer and a child protection worker will visit a family together in response to a report received by one of the agencies.

QPS is involved in investigating all reported incidents of suspected harm against children and young people, serial sex offences, organised paedophilia, institutionalised abuse, child exploitation and Internet pornography. Where appropriate, legal proceedings are initiated against alleged offenders when allegations constitute an offence under the *Criminal Code 1899*, an offence under the *Child Protection Act 1999* or any other relevant legislation.

QPS is involved in investigating the sudden or suspicious deaths of Queensland children and young people and works cooperatively with government departments and other organisations concerned about the welfare of children and young people.

¹This fact sheet is based on information provided by the Department of Child Safety and the Commission for Children and Young People and Child Guardian.

²Includes foster care.



QPS also plays a preventive role through promoting and participating in community programs that educate and empower children and young people to formulate strategies against all forms of abuse and exploitation, for example protective behaviours programs.

The Commission for Children and Young People and Child Guardian

The Commission for Children and Young People and Child Guardian is an organisation that promotes and protects the rights, interests and wellbeing of all Queenslanders under 18. The Commission is independent, and its decisions are not influenced by any Government department or other agency.

The Commission:

- Speaks out for and supports children and young people, especially those having a hard time.
- Monitors laws, policies and practices that affect young people.
- Investigates and helps solve complaints about services for children and young people.
- Provides a statewide Community Visitors program to support children and young people living in out-of-home care.
- Researches issues affecting children and young people.
- Carries out checks to make sure those working with children and young people are suitable.
- Reviews, researches and maintains a register of child deaths.

Other Government Agencies

A number of other Government Departments provide services and support to children at risk and their families. In response to recommendations from the Crime and Misconduct Commission's Inquiry into Abuse of Children in Foster Care, ten Government agencies have established a Child Safety Director position to take specific responsibility for the operational delivery of their agency's child protection services.

These include: Queensland Health, the Queensland Police Service, Education Queensland, the Department of Justice and Attorney General, the Department of Corrective Services, Queensland Treasury, Disability Services Queensland, Department of Communities, Department of Housing and the Department of Aboriginal and Torres Strait Islander Policy.

Who to call if you are concerned about a child or young person

The reporting process for the Department of Emergency Services recommends that staff and volunteers who are concerned about a child and want to contact an appropriate authority should call the Department of Child Safety.

If the matter is something that falls clearly within the responsibilities of the Queensland Police Service as described in this fact sheet, then the DES officer or volunteer can contact the Police Service.

Alternatively, the Department of Child Safety will provide advice to the caller about what action to take and who to call.

It is sometimes not initially apparent what the full circumstances of the case are, but the Queensland Police Service and the Department of Child Safety have well established protocols for sharing information and working in partnership, and staff and volunteers who wish to report their concerns about a child need not be worried about which agency to call.



Department of Emergency Services

CONFIDENTIALITY OF INFORMATION ABOUT CHILDREN AND FAMILIES KNOWN TO THE CHILD PROTECTION SYSTEM

The *Child Protection Act 1999* is Queensland's child protection legislation and it is administered by the Department of Child Safety and the Queensland Police Service.

This legislation provides the authority for the Department of Child Safety to respond to reports of alleged child abuse and carry out investigations. It also contains specific privacy provisions that ensure information about children and families who are known to the child protection system is kept confidential. The majority of these provisions refer to the responsibilities of employees and volunteers who work in the Department of Child Safety or community based organisations that provide support for families. However, there may be some situations where a staff member or volunteer from the Department of Emergency Services (DES) is provided with information covered by the confidentiality provisions within the *Child Protection Act 1999*.

Many Departmental staff and volunteers are already very familiar with privacy issues and work within the confidentiality requirements of their positions. For example, paramedics work within the confidentiality provisions of the *Ambulance Service Act 1991*. The aim of this fact sheet is to assist both employees and volunteers understand what specific responsibilities they may have in relation to information about children and how relevant information can be shared appropriately. Section 188 of the *Child Protection Act 1999* allows people to share information that is directly related to the welfare of a child¹.

Information about children and young people who have been abused within their own family or are in the care of the State is highly sensitive and the *Child Protection Act 1999* includes specific sections that reflect the very private nature of family life in this regard and the stigma sometimes associated with being a child 'in care'. This Act provides for appropriate sharing of information about children and their families if directly related to a child's protection or welfare or required or permitted by law.

There are two key areas of confidentiality relating to child protection issues and children or young people in care that are likely to impact on this Department's employees and volunteers.

The first relates to situations where information is provided about a child or young person who is in the care of the State, in order to allow them to participate fully in the activity or program being provided, or to better respond to their needs in a medical emergency. The information may be in relation to particular behaviours, fears, previous injuries or therapies. In this situation, section 188 of the *Child Protection Act 1999* becomes relevant. This section defines a person provided with confidential information or documents about a child or young person as being a 'receiver'. The receiver must not disclose the information, or give access to a document, to anyone else unless it is related to a child's protection or welfare or required or permitted by law.

Example

A foster carer tells the Leader of a Cadet Group that because of their previous experiences, a young person will be uncomfortable with a male Cadet Leader assisting them put on a harness for an abseiling activity.

The Cadet Leader may choose to share this information with another Leader in order to discretely make some alternate arrangements for the abseiling activity but would not share this information with any other members of the Cadet Group.

Conclusion

Sharing information about the very specific needs of this cadet is appropriate for the Cadet Leader and means the young person can enjoy the activity with his friends without feeling anxious and without anyone else being aware of the particular circumstances.

Example

A Regional Coordinator for the Fight Fire Fascination Program accepts a referral for the program from the foster carer of a child who has a history of setting fires. The foster carer discusses certain aspects of the child's behaviour with the coordinator e.g. that because of their history the child sometimes displays sexualized behaviour.

¹The child in this instance is a child within the context of the *Child Protection Act 1999* and includes both children and young people who are less than 18 years of age.



The Regional Coordinator will share this information with the practitioners delivering the program and if necessary may seek some expert advice as to strategies the practitioners can use to respond appropriately to the child's behaviour.

In this example the Regional Coordinator may also share non-identifying information with the State Coordinator with the intention of informing future training content.

Conclusion

The Regional Coordinator has appropriately shared information about the particular behaviours of a child that may have impacted on the practitioners' ability to deliver the program. Using this case to inform future training content is valuable in contributing to skills development and in raising awareness of some of the behaviours children may display.

The second area that may be relevant to this Department relates to publications. Section 189 of the *Child Protection Act 1999* prohibits the publication of any information that could identify a child who has been harmed by someone within their own family. This includes children and young people in care and children who are the subject of an investigation of a report of suspected abuse. This section recognises the emotional trauma to a child (even many years later) of seeing or hearing themselves publicly identified as a child whose family mistreated them. In this context the term 'publish' means to publish information to the public by way of television, newspaper, radio or other form of communication. Therefore, both print and electronic media are bound by Section 189 of the *Child Protection Act 1999*. For the Department of Emergency Services, this section of the *Child Protection Act 1999* may become relevant when producing newsletters that include information about the children and young people participating in DES programs.

Example

The DES Cadet Program Quarterly Snapshot includes a photograph of the cadets and their families at an end of year Christmas function. Two of the cadets are present with their foster carers as well as their own parents.

The photograph subtitle can say: *Cadets with their Leaders, families and friends enjoying an end of year BBQ at Maroochydore.*

A subtitle that identifies there are foster carers in the group risks drawing attention to the fact that some of the Cadets are either in care or are not living with their own families because it is not safe for them to do so.

Conclusion

This is an appropriate example of producing a publication that includes young people in care but does not draw any attention to their family circumstances or identify them in any way.

All children and young people enjoy having their photograph in newsletters and children in care should be included in the same way without being made to feel different or excluded but also without their family circumstances being made public.



Department of Emergency Services

LEGISLATIVE PROTECTION FOR NOTIFIERS¹

The term 'notifier' is used to describe a person who reports their concerns about a child or young person to the Department of Child Safety or the Queensland Police Service.

This information sheet will assist Department of Emergency Services (DES) officers and volunteers understand the protection from liability and identification provided for them by the *Child Protection Act 1999* if they contact the Department of Child Safety or the Queensland Police Service about a child. This protection is also provided if they give information in answer to any questions asked of them as part of an investigation being undertaken by these agencies. The relevant section of the *Child Protection Act 1999* is section 22.

Recent amendments to section 22 of the *Child Protection Act 1999* have strengthened this protection from liability by stating that a person who notifies the Department of Child Safety or gives information is not liable, civilly, criminally or under an administrative process. This section also states that if a person is required to maintain confidentiality of information under an Act, oath or rule of law or practice, they are not contravening these requirements nor becoming liable to disciplinary action by giving the information.

Section 22 of the *Child Protection Act 1999* is particularly relevant for DES officers and volunteers who work within the requirements of policy or legislation that include privacy and confidentiality considerations. For example, paramedics are required to adhere to the confidentiality provisions of the *Ambulance Service Act 1991*. Providing information to the Department of Child Safety about a child they have treated or a household they have visited where they believed children were at risk of harm could be considered to be in breach of section 49 of the *Ambulance Service Act 1991*. Section 22 of the *Child Protection Act 1999* allows them to make a report about a child or young person to the Department of Child Safety or the Queensland Police Service or respond to requests for information and not be in breach of section 49 of the *Ambulance Services Act 1991*.

Departmental staff and volunteers can be reassured that they are not in breach of any code of professional conduct or ethics or confidentiality provisions within legislation, if they notify the appropriate authority in good faith, that they suspect a child or young person has been abused or is at risk of being abused.

In addition, section 186 of the *Child Protection Act 1999* ensures that notifier's details are kept confidential. Families are not told the name or any identifying information about the person who contacted the Department of Child Safety or

the Queensland Police Service. This section prohibits police officers or child protection officers from disclosing notifier details except to others who require the information to perform their duties under the *Child Protection Act 1999* or if ordered by a court or tribunal.

Example

Paramedics are called to a house in response to a call from a woman suffering an acute asthma attack. The household is in an extreme state with rubbish bags stacked in the corner of the lounge room, animal faeces on the floor and a large dog sleeping on the bed. There are two toddlers in the house. Both are wearing light clothing despite it being mid-winter and both have very dirty nappies. A neighbour takes the two toddlers to her house across the road and the paramedics transport the woman to hospital. The paramedics are concerned by what they have seen and decide to contact the Department of Child Safety to report their concerns about the toddlers.

Question

Are the paramedics breaching the confidentiality provisions within the *Ambulance Service Act 1991* by contacting the Department of Child Safety and giving information about the family they were called to?

Answer

Section 22 of the *Child Protection Act 1999* states that if a person is required by an Act, oath or rule of law or practice, to maintain confidentiality of information, they are not considered to be breaching this requirement by making a report or giving information about a child and are not civilly or criminally liable or liable to disciplinary action.

Conclusion

The Ambulance Officers responded appropriately to the situation presented to them and in line with departmental policy about reporting any suspected child abuse to the appropriate authorities.

¹This information has been sourced from the explanatory notes of the *Child Protection Bill 1999* and the *Child Protection Amendment Bill 2004*.



Department of Emergency Services

CHILD PROTECTION POLICY

Application: This policy applies to all Departmental officers including:

- Public Service officers employed under the *Public Service Act 1996*.
- Fire Service officers employed under the *Fire and Rescue Service Act 1990*.
- Ambulance Service officers employed under the *Ambulance Service Act 1991*.
- State Emergency Services officers appointed under the provisions of the *Disaster Management Act 2003*.
- Temporary personnel.
- Adult Leaders appointed to the Emergency Services Cadet Program.

Volunteers engaged in child related activities or delivering services to children should also be made aware of the Department's enhanced focus and commitment in this area and the part they can play in assisting children and their families get the help they need, by reporting any concerns they have about children or young people to appropriate authorities.

Note: The term 'child' used in this document includes both children and young people who are less than 18 years of age.

Purpose

The purpose of this policy is to outline the responsibilities of Department of Emergency Services (DES) officers and volunteers who are engaged in activities targeted at children and young people or who deliver services to this age group. Any reasonable suspicion that a child or young person has been abused must be reported to appropriate authorities.

Rationale

In Queensland, the Department of Child Safety and the Queensland Police Service have statutory responsibility for responding to reports of child abuse. Both agencies rely on members of the public, including professionals who work with children, contacting them to report any concerns they might have about a child or young person. These two agencies receive information about children at risk from a number of different sources and this assists in building a complete picture of a child and their family's circumstances.

DES personnel have contact with children and their families when delivering services, providing community education and awareness programs and providing activities for children and young people.

Their interaction with children, the relationships they build with families, their observations and professional training means that DES officers and volunteers are well placed to identify children at risk and families who need additional support and to assist those families by contacting the Department of Child Safety to report any concerns they may have.

This policy applies to all DES staff and volunteers and for the majority it will be unlikely they will come across any incidents that will require them to act by contacting the Department of Child Safety.

However, for some families where children are at risk, the only person outside the immediate family who has had contact with the child and family in their own home could be a member of the emergency services. Even if an officer thinks the information they have is trivial, their call to the Department of Child Safety or Queensland Police Service may provide a vital piece of information that enables the Department or the Police to act.

Responsibilities

Commissioners and Executive Directors are responsible for implementing this policy within their Division.

Managers are responsible for ensuring staff and volunteers who have contact with children and young people as part of their day-to-day work have access to relevant information so they are aware of their responsibility to:

- respond to any suspicions they might have that a child has been abused by reporting their concerns to appropriate authorities; and
- to inform themselves of:
 - the different types of child abuse and the warning signs that can indicate a child has been abused;
 - the reporting process and the information most helpful to the child protection practitioners working in the Department of Child Safety;



- the legislative responsibility to maintain confidentiality of specific information that relates to children in the care of the State; and
- the protection provided by legislation for people who report their concerns about a child to either the Department of Child Safety or the Queensland Police Service.

Fact sheets are provided on each of these subject areas.

Policy

The Department of Emergency Services will contribute to the Government priority of:

Protecting our children and enhancing community safety.

All staff and volunteers are expected to respond to any suspicion they might have that a child or young person has been abused by reporting their concerns to appropriate authorities.

The Department will support its staff and volunteers to confidently carry out their responsibilities in this regard by providing appropriate guidelines and training materials.

Relevant Legislation, Policy and Guidelines

Legislation:

- *Child Protection Act 1999.*
- *Ambulance Service Act 1991.*

Policy:

- Department of Emergency Services Code of Conduct
- Emergency Services Cadet Program Operating Policy Manual
- Queensland Fire and Rescue Service Standard Operating Procedure 695.4 Community Education Programs: Fight Fire Fascination

Fact sheets:

- Responding to disclosures
- Confidentiality of information about children and families known to the child protection system
- Legislative protection for notifiers
- Indicators of child abuse
- The child protection system in Queensland
- Different types of child abuse
- Reporting your concerns about a child or young person: who to call, what to say, what information is useful to provide.
- Child protection policy.

Glossary:

Word	Definition
Child	An individual under 18 years .
Child abuse	Child abuse is the misuse of power by adults over children that endangers or impairs a child’s physical or emotional health and development. It includes: physical abuse; emotional abuse; neglect; sexual abuse; or exploitation. Within each type of abuse there is a continuum from mild to life threatening. Child abuse is usually a pattern or cycle, not a one-off incident. As distinct from the occasional verbal ‘outburst’ in a generally loving home, abuse is a pattern of negative and harmful interactions which cause long term damage unless there is intervention. Refer to the Fact Sheet titled <i>Different Types of Child Abuse</i> .
Harm	The term ‘harm’ is used by child protection workers and also in the <i>Child Protection Act 1999</i> to describe the detrimental effect on a child’s well-being as a result of abuse. The causes of harm to children and young people are numerous. This includes harm arising from physical abuse and physical neglect, emotional abuse and emotional neglect, and sexual abuse and exploitation. These types of abuse often occur together and can have a significant detrimental effect on a child’s physical or emotional health, development and well-being.
Mandatory reporting	Where legislation requires certain categories of person to report suspected cases of child abuse and neglect.
Notifier	A person who reports their concerns about a child or young person.

For assistance contact:

Strategic Policy Unit on telephone 07 3109 5056
Divisional contact details:

.....

.....

.....

.....

.....



CONTACT NUMBERS

Child Safety Service Centres – Department of Child Safety

Central Office

Phone 3224 8045
Freecall 1800 811 810
Fax 3404 3570
Email contact@chidsafety.qld.gov.au
Internet www.chidsafety.qld.gov.au
TTY 3012 8655
Crisis Care 3235 9999
Crisis Care Freecall 1800 177 135

Indigenous Support and Development Branch:
Cairns 4039 8354

Brisbane North and Sunshine Coast Zone

Zonal Office:
Caboolture 5490 1040

Child Safety Service Centres:
Caboolture 5490 1000
Chermside 3350 7300
Fortitude Valley 3252 8760
Gympie 5482 4177
Pine Rivers 3881 7600
Redcliffe 3284 1000
South Burnett (Kingaroy) 4162 5399
South Burnett (Murgon) 4168 1488
Sunshine Coast 5475 0000

Brisbane South and Gold Coast Zone

Zonal Office:
Beenleigh 3804 9133

Child Safety Service Centres:
Beenleigh 3287 4422
Gold Coast 5595 7100
Mt Gravatt 3343 4044
Redlands 3286 4693
Stones Corner 3397 6151
Wynnum 3396 7055

Central Zone

Zonal Office:
Rockhampton 4938 4699

Child Safety Service Centres:
Bowen 4786 2644
Bundaberg 4131 5517
Emerald 4982 2177
Gladstone 4979 6514
Longreach 4658 3012
Mackay 4951 5900
Maryborough 4123 9160
Rockhampton 4938 4765

Far Northern Zone

Zonal Office:
Cairns 4039 8354

Child Safety Service Centres:
Atherton 4091 1466
Cairns 4052 9500
Cape Torres 4039 8953
Innisfail 4061 3122
Thursday Island 4090 3665

Ipswich and Western Zone

Zonal Office:
Toowoomba 4688 4063

Child Safety Service Centres:
Charleville 4654 2577
Goodna 3818 2166
Ipswich 3280 1744
Roma 4622 2811
Toowoomba 4688 4000

Logan and Brisbane West Zone

Zonal Office:
Logan/Woodridge 3380 6200

Child Safety Service Centres:
Browns Plains 3802 4400
Inala 3372 0200
Logan North 3380 6200

Northern Zone

Zonal Office:
Townsville 4799 7943

Child Safety Service Centres:
Mount Isa 4744 1600
Thuringowa 4773 8222
Townsville North 4799 7900
Townsville South 4799 7943

Queensland Police Service

Queensland Police Service 3364 6464
TTY 3364 4655
Crimestoppers 1800 333 000

In an emergency telephone 000 (triple zero)

