



Speech by
**Mr DENVER
BEANLAND**

MEMBER FOR INDOORROOPILLY

Hansard 21 July 1999

CHILD ABUSE; FORDE INQUIRY RECOMMENDATIONS

Mr BEANLAND (Indoorroopilly—LP) (6.02 p.m.): I move—

"In order to ensure everything possible is done to prevent further abuse of children, and justice for victims of child abuse, this House calls on the Beattie Labor Government to establish an independent special implementation unit to further examine, where necessary, and implement the Forde Inquiry recommendations as well as introducing a system of accountability for decision-making by the Department of Families, Youth and Community Care which involves children and families."

Firstly, I want to congratulate Mrs Forde on what she has been able to achieve through her inquiry into child abuse during a period of very great personal hardship for her. Unfortunately, this Labor Government set a very tight timetable for the significant work that was required to be undertaken and, upon completion, for the report and recommendations arising out of that inquiry. The timetable for that report and recommendations meant that the inquiry had to be completed by 31 May this year, the commission of inquiry having been established in August last year. Commissioner Forde made reference to this matter in the first paragraph of her executive summary of her report. She highlighted the timing of the report and the fact that the report was no ordinary report, nor was it an ordinary inquiry.

This very short and restrictive timetable, together with equally restrictive terms of reference and limited resources, meant that the inquiry was always going to be limited as to the evidence that it could receive. Likewise, the breadth and detail of its recommendations would be limited. However, it has provided a long-overdue opportunity for those victims of child abuse at Government and non-Government institutions and detention centres to have their voices heard. One can imagine what Labor members would have said if the National Party had placed restrictions on the timetable, resources and terms of reference of the Fitzgerald royal commission.

This is the inquiry that Labor had to have, after shredding the Heiner inquiry documents, the contents of which indicated child abuse. It has been made known by a former Cabinet Minister that that information was known to those Cabinet Ministers. Those Cabinet Ministers tried to cover that up, but former Minister Comben let the cat out of the bag that Ministers of that Government knew about the contents of the Heiner documents. However, in its own way, this inquiry was equally important. Some people would say that it was even more important than the Fitzgerald inquiry. It was an inquiry into child abuse, and for those people in particular who have suffered abuse there is no more sensitive or more significant issue. Those people were given the opportunity to come to tell their story in confidence. As Commissioner Forde says, it was no ordinary inquiry and no ordinary report.

The implementation of this inquiry and the recommendations of the report, if we are going to get it right for the future, are matters of great interest to all Queenslanders. Surely the Minister cannot possibly be serious in suggesting that her department or her director-general be at the centre of the implementation of these recommendations. After all, they are at the centre of the major issues and criticisms that have been raised in this report. No-one would have seriously considered letting the Police Service implement the reforms of the Fitzgerald inquiry. That would have been absurd and ridiculous,

just as it is absurd and ridiculous for this department to implement these reforms. The implementation of the recommendations must be undertaken by an independent implementation unit.

After having the inquiry, with its restricted timetable and terms of reference, one has to ask: why is the Minister so determined to ensure that there is not an independent implementation unit? The fact that the Minister is even contemplating or proposing to have her department implement the recommendations is a reflection on the Minister. An independent body, seen to be independent, must be given the task.

I know that in the past departmental people have worked diligently, in many instances even heroically, in providing services under the most adverse conditions. Reference to that is made at the front of the Forde inquiry report. They should not now be saddled with the additional, impossible burden of looking objectively at their collective performance of the past while implementing these inquiry recommendations. It certainly cannot be undertaken by the department headed by a director-general who, I might say, is referred to repeatedly by the Minister as "my director-general". It would be neither proper nor desirable for the department to have the carriage and evaluation of the reform of its own services and facilities. The standards of Government demand better. It is a mark of an administration with a mentality of the past to propose what the Minister is suggesting.

During its sittings, the inquiry received information from some 300 people. The number of children cared for in the relevant period covered by the inquiry would have run into tens of thousands. The report acknowledges that only a small proportion of children who were in those institutions appeared before the inquiry. I have had reports from people who were victims of child abuse but who were not allowed to give evidence. That is a very sore point for those people who were abused and lived at those institutions. One of those people lived in an institution that is not far from here. However, that institution fell outside the inquiry's terms of reference because at the time the institution was not licensed to have the care of children over six years of age; it was licensed to have the care of children only up to six years of age. Therefore, this person's experiences were not able to be relayed to the Forde inquiry.

If one considers the accountability of the department—and in the past I have raised the issue of lack of accountability or transparency in the department's decision-making processes—the department and its officers have enormous discretionary power without the transparency or the checks and balances that ought to exist. For the good of all children, proper accountability mechanisms with a full range of checks and balances must be put in place. That has been highlighted in this report. I know that members have received complaints from families who feel powerless in relation to the department, who feel disconnected from their children by the department when their relationships with their children get into difficulties. That is an ongoing problem with this department. Obviously it is something that has now been highlighted yet again.

In many respects, the systematic failure of the department has been highlighted in the report, yet it gives no indication of how that failure has been pursued and how it will be pursued in the future. That would have involved hundreds of people. There is a lack of additional knowledge to ensure that it does not happen again, and that is why it is so essential that accountability is put in place. Unfortunately, whilst the report goes a long way, it does not cover this particular aspect, which has been highlighted by other people and which is coming up more and more as far as the implementation of those recommendations is concerned.

Nothing in the report really shows how the department and the institutions were run or what their administration practices or procedures were. There is no indication given of who actually came forward and gave evidence. Was it purely the alleged victims—the people who were abused—certain other people from institutions, or people who were required to give evidence in secret? The report focuses on victims and what happened to them, but not on the processes and practice of the time and the culture of the department or the community generally. That is a little like the Fitzgerald inquiry report coming up with victims but little else.

Of course, I understand that 14 cases have been referred to the Police Service for consideration for prosecution, but further investigations need to be carried out on those cases. One can see the difficulties that might arise there because those investigations have not been finalised as the Police Service does not have power over a royal commission of inquiry. It is a little like if the people who appeared before the Fitzgerald inquiry were not properly investigated or were not put in a position where they were ready for prosecution with all the evidence ready to go. I think that one of the shortcomings of the inquiry is that the evidence was not put before the Director of Prosecutions. This is really a problem that we have—

Time expired.
