



Speech by

## Rosemary Menkens

MEMBER FOR BURDEKIN

Hansard Tuesday, 6 March 2007

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### DEPARTMENT OF CHILD SAFETY

**Mrs MENKENS** (Burdekin—NPA) (12.12 pm): I refer to an article in today's *Australian* newspaper that outlines where the Department of Child Safety allowed allegations of abuse at a children's home to go unreported. In February 2002 a child at the Station, a home for boys who are in the care of the Department of Child Safety in Townsville, rang his mother extremely distressed making allegations that he had been assaulted and sexually interfered with by a youth worker. The police officer in charge of the Station interviewed the boy and then reported that the child said that he had made the story up. From revelations made by the child to his mother, to a child safety officer and also to his teacher, he claims that the police officer had forced him to say that he made it up. The mother knows her son very well and does not accept this version but nobody will listen. The department accepted the police officer's version despite the mother's continual lobbying.

The mother has FOI'd a large number of documents which show that it was six months later that he was finally interviewed by a Child Safety Officer and these documents state that the CSO believed the child was telling the truth in his allegation. The mother was also threatened with legal action if she did not stop her persistence with the department for answers. At all stages she claims there were blocks in place from the child safety department and the JAB.

Files that later came to light through FOI showed that there were claims that it was another child and not the youth worker who had molested the child in question. This was on the official file within the Station. Yet when she asked for these files she was told they were exempt or she assumed they had probably gone through the shredder.

A Child Safety manager had described the mother as having an undiagnosed mental illness, which, of course, caused her a great deal of distress and anger. This magnificent mother did not give up on this case because she genuinely believes her son to be the victim in this situation and the department to be covering up.

Finally, then child safety minister Mr Reynolds commissioned an external review in 2005. Two years later the mother was finally last week given FOI access to the Station review. The report states that the departmental officers failed to comply with policies in relation to the recording, assessment and response to several incidents that occurred at the Station or involved harm to children residing at the Station.

The assessment of disclosures made by this lad was very poorly handled by the department and a notification should have been raised. A formal show cause process was commenced by the department in 2005; however, the policeman in charge of the Station withdrew his services and the care licence was relinquished. The specific findings also state that the mother had legitimate concerns about the department's investigation of her son's alleged sexual assault and these concerns were minimised by the northern region at the time.

Recommendations state that the department should provide an acknowledgement to the mother that the assessment was not handled correctly and that the Child Safety manager should be counselled

about her reference to the mother having an undiagnosed mental illness and she should be directed to provide her with an apology. Two years on and neither of these things have occurred. Why has no apology or acknowledgement been given to this lady? All she has received is vilification and threats.

The report also concludes that the disclosures made by the child clearly indicated harm or risk of harm and therefore should have been raised as notifications and properly assessed. It also notes that it is extraordinary that the child was able to describe in detail to a child safety officer how the sexual assault actually felt and then this matter was treated as a retraction. The appropriateness of a carer doing this was not even questioned.

The child's initial interview with the CSO took place in the very environment where the abuse is alleged to have occurred. It can be assumed that he was at the Station before and after the interview and presumably still under the care of the alleged perpetrator. Proof that the Station may have been an intimidating environment for the child and would therefore inhibit his responses is in the written account prepared by the police officer. The threatening tone and closed nature of the questions should have been of great concern to the department. Instead this report was used as the basis for the department to take this matter no further. There is no evidence that the department made any attempt to conduct an interview with the alleged perpetrator or to identify and interview witnesses.

Recommendations on page 75 of the report states that the disclosure made by this child should be formally recorded as a notification by the department. I ask the minister: has that been done? If true, this act constitutes a criminal offence. I know the minister has a heart and I know she is doing her best to effect improvement within the department. Please consider the child in this case.

At the end of the day, has any person in the department thought about this child? His words to his mother continually are, 'Why will no-one believe me?' He has lost all trust in people in authority through this and he has a long road of life before him. I know this mother. I have worked with her on this issue for some years. She has genuine love and concern for her child's future. She deserves recognition. This has been an appalling situation. I specifically ask the minister to immediately address and resolve the lies and cover-ups that have been evidenced in this case.