

QUEENSLAND CHILD PROTECTION  
COMMISSION OF INQUIRY

**STATEMENT OF CAMERON IAN HARSLEY**

I, **Cameron Ian Harsley**, of c/- Queensland Police Service (QPS) Headquarters, 200 Roma Street, Brisbane in the State of Queensland, Detective Superintendent (QPS Child Safety Director) Child Safety and Sexual Crime Group, State Crime Operations Command, solemnly and sincerely affirm and declare:

1. I make this statement pursuant to a request from the Commission of Inquiry dated 26 July 2012.
2. I am a Detective Superintendent of Police and lead and manage the Child Safety and Sexual Crime Group, State Crime Operations Command. I also hold the responsibility of the Queensland Police Service (the Service) Child Safety Director and Child Protection Investigation Unit (CPIU) state coordinator.
3. I have held the position of Detective Superintendent, Child Safety and Sexual Crime Group, State Crime Operations Command since 3 October 2011. Prior to the permanent appointment to this position, I relieved in this role for almost two years.
4. My qualifications include a Post Graduate Diploma of Education (majoring in Curriculum Development), an Advanced Diploma of Public Safety (Police Investigations), a Diploma of Public Safety (Policing) and studies in Management. I have been working in Child Protection from a policing perspective for twenty one years. I have been an Investigator in the Child Protection and Investigation Unit (formerly Juvenile Aid Bureau), Criminal Investigation Branch (CIB) Regional SCAN Representative, Officer in Charge of a District CPIU and CIB, various Inspector roles in charge of Child Abuse Unit, State Crime Operations Branch and also Inspector Task Force Argos.

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5. In my role I have overall responsibility for the coordination of the Statewide CPIU's as well as specialist Units such as Task Force Argos which is a recognised national leader in the detection of crimes against children.
6. I have been an appointed member of the Child Death Case Review Committee for several years.

**Service Delivery model- Child Protection Investigation Units**

7. The Service has a long history of commitment to the protection of children. From the creation of the Juvenile Aid Bureau (JAB) in 1963 to the present, the Service has continued to develop specialist staff capable not only of responding to child protection issues, but also of contributing to the prevention and intelligence lead targeting of activities which pose risk to children. In 2006 to recognise the police role in child protection the name of the JAB was changed to the Child Protection and Investigation Units (CPIU's).
8. The State-wide CPIU structure provides a specialist policing response to children, both as victims and offenders. CPIU officers are provided with specialist training in the investigation of child abuse, sexual offences, youth justice and forensic interviewing of children. The CPIU investigator role now includes:
  - (a) traditional child protection investigation,
  - (b) technology facilitated child exploitation investigation,
  - (c) youth justice investigation / diversion,
  - (d) child sex offender / dangerous prisoner monitoring,
  - (e) employment screening compliance, and
  - (f) delivery of education, training and community awareness.

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9. The CPIUs are centrally supported by the Child Safety and Sexual Crime Group (CSSCG), State Crime Operations Command (SCOC). As the Service's Child Safety Director, I am responsible for working across government and non-government agencies to ensure child protection issues receive a state-wide coordinated response.
10. Through the Child Safety and Sexual Crime Group, the QPS has maintained its position nationally as the lead law enforcement agency in the investigation of the sexual abuse and exploitation of children. Task Force Argos was awarded the gold International Law Enforcement Cybercrime Award in 2011.
11. There are 36 CPIUs established and 14 SCAN units throughout Queensland. In areas where the CPIU does not have a presence there is usually a Criminal Investigation Branch (CIB) able to respond to child protection issues in the first instance. In all areas of the state specialist advice through the CPIU or the CSSCG is available.
12. The Service is the only 24/7 agency within Queensland with the ability to respond to children at risk. It is due to this fact that often the CPIU are called upon to fill a 'gap' in the responses of children at risk. The response provided by the CPIU always places the child's safety as paramount and the investigation and prosecution of offenders often has to take second place or be delayed due to this fact.
13. The Service is responsible for conducting investigations into offences which are committed upon children by persons who are both intra-familial and extra-familial to the child's family. The Child Protection system within Queensland however only engages when the requirements of the *Child Protection Act 1999, section 10* are enlivened. That is this Act limits intervention to abuse where there is no parent willing and able to protect the child.

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14. Apart from statutory authority in legislation such as the *Child Protection Act 1999*, *Youth Justice 1992* and *Police Powers and Responsibilities Act 2000*. The Service has an Operational Procedures Manual (OPMs) which provides a policy framework (for child protection specifically Chapter 5- Children and Chapter 7- Child Protection) for operational activity.

**Staffing and training**

**Staff (selection wellbeing)**

15. Within the Service, Child Protection and Investigation Units (CPIU) are staffed with both plain clothes officers and Detectives.

16. All officers applying for CPIU positions are selected on merit through the QPS promotion system. The essential selection criteria required before an officer can apply for a position in a CPIU is the attainment of pay point 1.5 or higher and the satisfactory completion of the Constable Development Program years 1 and 2 (Standard A). Although officers with more than two years service (Standard B) can apply for positions within a CPIU, preference will be given to those officers who satisfy the requirements of standard A. In general terms most Officers starting in a CPIU have about 5 years general policing experience.

17. The Service is committed to providing a safe and productive working environment for its employees. In 2011 the Service approved the introduction of annual Psychological Health Monitoring (PHM) of police officers working in designated specialist units/positions that involve an increased risk of psychological harm. Officers attached to CPIUs throughout the state as well as Officers attached to the Child Safety and Sexual Crime Group, State Crime Operations Command are subject to this monitoring.

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**Training (development)**

18. Upon taking up a position within the CPIU, officers have a range of mandatory and recommended training requirements in order to maintain their status as Plain Clothes Officers and eventually becoming appointed as Detectives.
19. All officers who take up a full time investigative position within a CPIU are required to complete the Queensland Police Service, Detective Training Program, as a pre requisite to receiving a Detective appointment.
20. ***The Detective Training Program (DTP)*** is based on a cyclic training process of three in-service training courses (phases 1 – 3). It includes practical learning exercises and submission of a work-based practicum, which requires students to demonstrate the relevant skills and knowledge. Successful completion of the DTP also results in the issue of the Advanced Diploma of Public Safety (Police Investigations). Generally the program takes in excess of three years to complete , furthermore appointment to Detective takes approximately four years.
21. ***The Interviewing Children and Recording Evidence (ICARE) Course*** is unique among the courses offered by the QPS. This course provides participants with a certificate level qualification and is the only course offered which is designed and delivered as a joint course with the Department of Communities (Child Safety Services) (CSS). The QPS as the Registered Training Organisation has overall responsibility for the maintenance of this course within its scope of registration. The course is a week in duration and is designed to better skill Officers with the ability to obtain a free narrative statement (account) from a child witness.

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22. This course was originally developed in 1989 in response to changes in the *Evidence Act 1977*, specifically the addition of Section 93A of the Act. The course was developed to be jointly delivered with the QPS and CSS and has continued and will continue where possible as a joint delivery model into the future.
23. A minimum of ten ICARE Courses are offered during each calendar year. Recent times have seen however an inability on the part of CSS to fill all positions offered on courses resulting in the decision for the reduction in the number of joint course being offered and the QPS offering courses to police staff only in order to fulfil the need for training within the QPS. During 2011-2012 financial year 11 ICARE Courses were offered training a total of 109 QPS staff and 21 CSS staff.
24. ***The CPIU Workshop*** is an example of a blended training package. Pre-requisites for this course include five distance education training packages including, two child protection and two sexual offence competency acquisition program units (CAP Unit). This workshop is two weeks in duration and is targeted at Officers who are in their first year of service working in a CPIU.
25. This CPIU workshop is reviewed at least annually to ensure that the content being delivered meets the needs of the target audience. As the core responsibilities of the CPIU have changed the course has been updated to reflect those changes.
26. ***Competency Acquisition Program Units (CAP Unit)*** are designed specifically as a distance education model. While they are a pre-requisite to the CPIU Workshop, any officer within the QPS can enrol and complete any unit.

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27. All CAP Units are designed to provide a base level of information to an officer who is then expected to apply that knowledge and continue to develop and expand their knowledge in the workplace.
28. Each unit is generally designed to take at least 10 hours to complete with activities and milestones to be met during the unit before undertaking an assessment. All CAP Unit assessments require 100% to be deemed competent.
29. The CAP Unit relevant to the investigation of offences committed against children are 'Child Protection: Investigations and Issues', 'Child Protection: Law and Procedures', 'Sexual Offences: Legislation' and 'Sexual Offences: Investigation'.
30. ***Child Protection Offender Register Workshop*** is a one day workshop designed to provide police officers with the requisite knowledge and skills with regard to the *Child Protection (Offender Reporting) Act 2004* and the Australian National Child Offender Register (ANCOR) so that such officers deployed in the field of operation can investigate and manage reportable offenders in an ethical and professional manner.
31. ***Child Protection Offender Reporting (Online Product)*** provides police officers with the requisite knowledge and skills with regard to the *Child Protection (Offender Reporting) Act 2004* and the Australian National Child Offender Registry (ANCOR). This learning package is available to all QPS officers through an online delivery method.
32. ***Search and Seizure Provisions Relating to Child Exploitation Material and SPADA (System Preview and Data Acquisition) Training*** is a workshop designed to provide the participant with the knowledge and skills to conduct a search, seize items and interview a suspect in relation to child exploitation

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Witness: Gregory Bruce OBST  
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material. It will assist officers to identify the various avenues of investigation to be considered specifically when investigating offences against children involving electronic media.

33. ***Categorisation for Pictures/ Categorisation for All*** The Categorisation (C) for Pictures (C4P) course is to provide investigators with the knowledge and skills necessary to produce a reliable and qualitative assessment of seized computer-based child exploitation images. Investigators will also be provided with the knowledge of judicial standards associated with the prosecution of child exploitation related offences. The C for all includes information relating to movie images.

#### ***Investigative Interviewing***

34. Since 2009 the Service has been developing and implementing the Investigative Interviewing Project. Investigative Interviewing is based on an interviewing model which has been adopted in countries such as the United Kingdom and New Zealand. It is designed to provide training to police officers from basic interviewing (Level 1) through to specialist interviewing (Level 3).

#### ***Compulsory Training***

35. In addition to the training to provide specialist skills CPIU Officers as members of the QPS also undertake various units of compulsory training throughout each year. Each of these units of compulsory training must be completed by all sworn officers within the QPS up to and including the rank of Senior Sergeant and in some instance up to the rank of Inspector.

Deponent: Cameron Ian HARSLEY  
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Witness: Gregory Bruce OBST  
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36. This compulsory training ranges from Operational Skills and Tactics Training (24 hours per year) to training involving legislative amendments, for example the Domestic and Family Violence Legislation requiring both distance education (3 hours) and face to face training (6 hours)

**Prevention and Universal services**

37. One of the principles which are adopted in modern day policing is not just to be a reactive response to the community. As such I have always encouraged and promoted prevention and proactive strategies through community engagement and education. Task Force Argos continues to work to raise community awareness through campaigns such as; 'Who's Chatting to Your Kids?' and 'Surf Safely'. Both have been created by State Crime Operations Command's Taskforce Argos.

38. Both awareness campaigns continue to attract significant website hits via the QPS internet site. The 'Who's chatting to your kids?' campaign is targeted towards parents, guardians and carers of children and focuses on the risks associated with children using the Internet and the dangers posed by child sex offenders online.

39. The 'Surf Safely' campaign is targeted towards children who use the internet and focuses on the five 'R's' Realise, Refuse, Review, Respond, and Report to maintain a safe online environment.

40. The service further engages in what I describe as 'universal' services which promote the welfare, communication and awareness of children, parents/guardians. Some of these programs are:

- Adopt-A-Cop Program based in primary schools
- School Based Police Officers based in secondary schools

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Deponent's signature: \_\_\_\_\_

Witness: Gregory Bruce OBST  
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- Police Citizen and Youth Clubs

41. Other activities, either statewide such as Child Protection Week or other local initiatives are also employed by CPIU as well as Uniform police throughout the state.

Agency coordination

42. There are two well known and established forums which facilitate the QPS coordination in child protection with the Department of Communities (Child Safety Services), Department of Health and Department of Education. These four agencies have been traditionally the core agencies involved in child protection within Queensland. These two forums are the Child Safety Directors Network (CSDN) and Suspected Child Abuse and Neglect (SCAN) Teams.

43. The Child Safety Directors Network was established at Senior Officer level across government to coordinate the implementation of Child Protection reforms. This network also has been a forum for policy development and to address service delivery issues that have arisen from time to time.

44. SCAN Teams operate in accordance with the *Child Protection Act 1999*, section 159I-L. SCAN team core members have a legislative responsibility to contribute to the operation of the SCAN Team System and use their best endeavours to agree on recommendations about assessing and responding to the protection needs of children, share relevant information about the children, their families and other relevant persons, identify relevant resources of members or other entities, take action as required under the recommendations, monitor the implementation of recommendations and review their effectiveness. It is through joint agency resourcing and coordination that better outcomes for children at risk are achieved.

Deponent: Cameron Ian HARSLEY  
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Witness: Gregory Bruce OBST  
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45. Although a core agency cannot dictate to another agency, the statutory responsibilities of individual agencies always remain. In about 2007, I was part of a cross agency review team of the SCAN Team system. Some of the findings and observations which I made included strengths that included:

- strong commitment to the SCAN Team System by all core member agencies;
- SCAN Team meeting quorums evident in review sites;
- scheduled meetings occurring at all review sites;
- an established set of SCAN System Inter-agency Policy and Procedures;
- established inter-agency partnerships; and
- respect for core member colleagues.

46. Some of the weakness however included:

- lack of child focused recommendations and outcomes;
- lack of effective chairing;
- correlation of SCAN Team functioning to local CSS capacity and workload issues;
- varying degree of knowledge and understanding of the purpose of the SCAN System;
- inconsistent knowledge and application of the SCAN Team System Inter-agency Policy and Procedures; and
- number of additional teams as a result of devolution.

47. Approximately 18 months ago the SCAN Team inter-agency policy was again re-written. In essence the policy became more restrictive in nature then inclusive. By this I mean that the policy restricted matters of Notification assessed by CSS only that needed multi agency response to be tabled. One of the drivers for this was

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Witness: Gregory Bruce OBST  
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workload issue within CSS and the ability for CSS to service the SCAN Team System.

Reporting and Accountability

48. In the area of Child Protection, I manage a number of reporting requirements regarding the Service activities in this area. There are three major publicly available Annual Reports which the Service reports under about Child Protection these include; QPS Annual Report, The Child Protection Partnership Report (annual report on the operations of Queensland Government agencies relevant to child protection) and the Commission for Children Young People and Child Guardian (CCYPCG) Monitoring Plan.

49. CPIU Officers are subject to the Services complaint and discipline system with oversight from the Crime and Misconduct Commission. Additionally, Officers working in the area of Child Protection are also subjected to the Coronial Process as investigators into child death but also in regard to their actions in the event they are involved in circumstances leading to the death of a child.

50. Children and members of the public are also able to make complaints about service delivery to the CCYPCG, which can be referred to the Service but also reviewed by the CCYPCG.

Deponent: Cameron Ian HARSLEY  
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Witness: Gregory Bruce OBST  
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51. Although the Service is not subject to the oversight of the external Child Death Case Review Committee (CDCRC), the committee will on occasion refer a matter to the Service for their information and taking of action it considers necessary. In my role I have received such referrals and have subsequently directed internal investigation of those matters with overview of those incidents which may constitute misconduct being undertaken by Ethical Standards Command. Where necessary the discipline process is employed. This process is valued by me as it also gives the opportunity to review policy and process of matters and to consider further educational curriculum development. Broader systemic issues are also considered once identified.

52. Annually, all Officers In Charge of police District CPIUs attend a annual three day conference to discuss emerging issues, policy, training and service delivery response. Importantly this conference also offers an avenue to identify best practices for continuous improvement.

53. All CPIU Officers are of course subject to individual performance management and supervision. Additionally compliance/ risk management regimes are also in place.

**Non Government coordination**

54. The QPS engages with a number of non government agencies through participation in child protection activities. Two non government agencies which the QPS has had a long standing relationship with include Protect All Children Today (PACT) and Bravehearts. The QPS work closely with PACT on almost a daily basis to assist with the management of referrals throughout Queensland from

Deponent: Cameron Ian HARSLEY  
Deponent's signature: \_\_\_\_\_

Witness: Gregory Bruce OBST  
Witness's signature: \_\_\_\_\_

police investigators to PACT workers who support children attending court as witnesses.

55. Bravehearts offer support services to sexual assault victims and support reporting to police for the purpose of investigation through the Sexual Assault Disclosure Scheme (SADS).

**National Policing Coordination- Child Protection**

56. I am a member of the Australia New Zealand Policing Advisory Agency (ANZPAA) Child Protection Committee (CPC). This committee meets two to three times a year to advise Police Commissioners on strategic issues impacting upon Child Protection. It is through this forum that policies and processes are discussed and adopted by police agencies nationally.

57. Our strategy in policing nationally has always been driven by an agreed upon aim to prevent and reduce physical and sexual abuse of children within our communities. This is achieved through a number of avenues including:

- Promoting early intervention and prevention
- Increasing responsiveness to victims and reports of child abuse
- Building consistency in the investigation of child abuse
- Establishing and enhancing standards and principles of best practice
- Supporting and promoting a whole of community approach
- Developing appropriate responses to indigenous communities and culturally and linguistically diverse and emerging communities

Deponent: Cameron Ian HARSLEY  
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58. Some of the national policing systems and processes which have been adopted to enhance the policing of the crime of child abuse have been ANVIL (Australian National Victim Image Library), CETS (Child Exploitation Tracking System), and ANCOR (Australian National Child Offender Register).

59. *ANVIL (Australian National Victim Image Library)* is being led by Taskforce Argos in conjunction with the Australian Federal Police and CrimTrac. This database will assist police to identify child victims and will automate and significantly optimise the process of reviewing images of children who are being sexually abused.

60. Automation is the key to reducing practitioner exposure to child exploitation material and to increasing victim identification opportunities by focusing investigative resources on newer images where evidence of contact offending is likely to be more prevalent.

61. *CETS* allows investigators to share collated intelligence product with partner law enforcement agencies and provides significant benefits by reducing the amount of wasted investigative resources pursuing identified victims and offenders, thereby reducing jurisdictional investigative effort.

62. *ANCOR* was implemented in Queensland on 1 January 2005 when the *Child Protection (Offender Reporting) Act 2004* commenced. This Act allows Queensland to participate in the Australian National Child Offender Register (ANCOR) scheme.

Deponent: Cameron Ian HARSLEY  
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63. The Act requires offenders who commit serious offences against children to keep police informed of their personal details for a period of time. This is intended to reduce the likelihood they will re-offend and facilitate the investigation and prosecution of future any offences committed.

*Children at risk due to Domestic and Family Violence*

64. Current QPS policy requires that, when police attend a Domestic and Family Violence (DFV) incident, all children who normally reside with either the aggrieved or respondent will be referred to CSS for assessment of child protection concerns, regardless of whether or not the child/ren were present at the time of the incident, and regardless of whether the incident meets the threshold for intervention by CSS. It is a well known factor that DFV environments are risk factors for children.

65. The current QPS policy represents best practice in responding to the risks associated with DFV, is consistent with the practice adopted in the majority of Australian jurisdictions, and is predicated on the research that identifies the cumulative impact of continued exposure to DFV. While it is acknowledged that a single incident of domestic violence may not meet the threshold for referral to CSS, the cumulative impact of multiple DFV incidents must be considered. Additionally DFV information should be viewed holistically in light of other information pertaining to a child/ren.

66. The recent inclusion in legislation of section 9(4) of the *Child Protection Act 1999* (*cumulative harm*) does in my view endorse the view which is espoused by the current QPS policy regarding children at DFV incidents. This position is also consistent with recent amendments to the *Domestic and Family Violence Protection Act* that outline the meaning of exposure to domestic violence by a child (*section 10*).

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*Child Protection Act- section 14(2) - Joint Investigation*

67. Section 14(2) of the *Child Protection Act 1999* creates a statutory obligation on the Department of Communities (Child Safety Service) to notify police in the event alleged harm to a child/ren, may constitute the commission of a criminal offence. Timely notification of potential criminal offences gives police the opportunity to gather fresh evidence and assist the court by being able to place the most accurate evidence before it in the event a criminal proceeding is commenced. Such evidence may also be presented for the purposes of Family Law Court and application for protection orders by CSS.

68. Non notification and/or untimely notification to police of such matters does reduce the potential to commence criminal proceeding regarding crimes committed upon children.

69. Importantly non notification to the QPS by CSS denies the opportunity for both agencies to work collaboratively together to conduct a joint investigation into matters. I firmly believe that joint investigations into child protection matters will result in better information sharing and a more robust assessment of the child at risk. Over the past few years due to capacity issues and CSS often assign a five or ten day response to matters. If police were notified of these same matters, police would commence investigations in isolation of CSS to ensure potential evidence is not lost. This difference in investigative processes has slowly resulted in a significant reduction in joint investigations by police and CSS. A joint investigation allows each agency to meet their respective statutory responsibilities while addressing the protective needs of the child. It also reduces the amount of contact required with the child during the investigation.

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*Police and direct referral to secondary services (Non Government)*

70. I have worked over the last several years across government through the Child Safety Directors Network with agencies within the child protection system to identify and implement reforms to the current child protection system. A key driver of this work has been the significant rise in referrals to CSS from professional referrers including police.

71. One of the key components of discussion was the adoption of agencies to use 'decision making tools' to better inform decisions about whether a matter should be referred to CSS. I believe the use of such 'tools' needs careful consideration and that such tools run the risk of replacing informed judgement by trained child protection staff. Additionally, such tools are point in time decision aids and should not replace the active investigation and information gathering regarding concerns relating to a child. Within a policing context, Officers are often required to make judgements after hours and whilst confronted by operational situations which cannot always be captured accurately by decision making tools.

72. Additionally, I have espoused concerns regarding individual agencies holding information and making assessment in isolation. The implications of 'siloes' decision making have been addressed in detail by previous reviews of the Child Protection systems including those operating within Queensland.

73. Some of the key QPS issues for consideration in regard to assessing and making referrals to an agency other than CSS include but are not limited to:

- The availability of secondary service system providers
- Information being 'siloes' by individual agencies

Deponent: Cameron Ian HARSLEY  
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- Assessments potentially being made in isolation of the holistic picture of current and historical child protection information relating to a child
- Capacity and or existence of interagency data systems to record referrals involving children and families
- Further training burden upon police and the impact of this upon their operational capacity
- Potential for multiple government agencies to refer the same child or re-refer a child which has already been referred to a support agency. In essence reducing the coordinated service delivery response for the benefit of children.

**Calls for Service- Residential care facilities**

74. With the rise in number of children in out of home care from 2006 to 2012 the impacts on police calls for service and repeat calls for service at these care facilities particularly in south east Queensland is impacting on police resources. Predominantly the calls for service relate to a child who has left the facility, thus raising concerns and a missing person report. Other calls are in regard to behaviour issues related to children at these facilities.

75. Although police are seen as filling a service need, it is often the case that policing has to take a punitive approach to dealing with these children. A punitive approach often can be a further negative to a child who is already in out of home care. Where possible police exercise an option under the *Youth Justice Act 1992*.

Deponent: Cameron Ian HARSLEY  
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76. An unintended consequence of police responses is the introduction of children into the judicial system which further disadvantages the outcomes for children.


77. Additionally the after hours information often required by police from CSS is often not accessible or the after hours CSS support to police is limited. The after hours support to police only comes in the form of phone advice. Given the majority of incidents that occur with children are after hours the enhancement of supporting police after hours by CSS would lead to more effective service delivery and outcomes for children. Ideally however the ability of CSS as the lead agency to undertake these calls for service would be in my view more beneficial to the child.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed .....  .....

**Cameron Ian Harsley**

Taken and declared before me, at Brisbane this 10th day of August 2012.

Witness .....  .....

Gregory Bruce Obst  
Solicitor/Barrister/Justice of the  
Peace/Commission for Declarations.