

Royal Commission into Institutional Responses to Child Sexual Abuse

Case Study 26: Public Hearing

Responses to issues raised during the evidence of Majella Ryan, Assistant Executive Director, Child Safety, Department of Communities, Child Safety and Disability Services (Queensland) (DCCSDS).

A further broad scan of the archived records was made with particular reference to the Questions on Notice and verbal evidence provided by Ms Ryan.

No.	Question	Response
1.	<p>Transcript page C7759 beginning line 8: Were there any specific records in relation to how many District Officers were based in Rockhampton at any one time?</p>	<p>The information below has been summarised from the relevant reports of the District Officer for the Central District and the Director, State Children Department (Attachment 1).</p> <p>Records show there was only one Inspector/District Officer in the Central District Office, Rockhampton from approximately 1938 up until 1962 when an additional Child Welfare Officer was appointed following an investigation by the Public Service Commissioner. Records indicate that during this period there were four staff (3 administration staff).</p> <p>It appears that the title 'Inspector' and 'District Officer' were used interchangeably until 1962. The 1962 Annual Report notes that the outdated title of Inspector was discarded and the position was then referred to as a Child Welfare Officer. The report also notes that a Child Welfare Officer worked directly under a Senior Child Welfare Officer. The 1963 Annual Report notes that there was one Senior Child Welfare Officer for the department.</p>
2.	<p>Transcript page C7763 beginning line 44 and page C7764 beginning line 1: A copy of the file note from the Director to the Sister in Charge re corporal punishment is to be provided.</p> <p>Were there any other references to a department officer or a director having sighted a punishment book or having directed that it be produced?</p>	<p>The file note (Attachment 2) was written by the District Officer and directed to the Matron at the Receiving Depot in Rockhampton. The note demonstrates the District Officer had knowledge of acceptable standards of corporal punishment to be used in institutions.</p> <p>A further review of the archived documents was undertaken and no reference to sighting a punishment book or directing one be produced was found.</p>
3.	<p>Transcript page C7769 line 20: Why were recipients of ex gratia payments</p>	<p>The Queensland Government Redress Scheme was designed to acknowledge the impact of past institutional abuse and neglect and to provide opportunities for the recipients' future. It was</p>

	asked to sign a deed of release?	<p>considered the provision of funds from the Queensland Government would offer some form of support to individuals that may have experienced difficulties in pursuing a civil claim for redress.</p> <p>The Queensland Government committed funds of \$100 million for a Redress Scheme to complete the government's response to the Forde Inquiry. It was explained to applicants at the time that they had the option to take a redress payment, or to maintain their intention to pursue civil proceedings.</p> <p>Applicants who chose a redress payment were therefore required to sign a deed of release. This was considered to be an appropriate course given that there were in all likelihood impediments to the applicants pursuing a claim civilly, such as issues related to historic claimants addressing limitation periods. The Scheme provided a level of relief to applicants.</p> <p>A deed of release was entered into to maintain a level of confidentiality between the State and each applicant. In addition it was seen as an effective way, through keeping the amount paid to each claimant confidential, especially during the administration of the scheme, to avoid disputes between individual applicants.</p>
4.	Transcript page C7769 lines 42-47: Were any references to Mr Kevin Baker in the materials reviewed?	<p>A number of documents (Attachment 3) which make reference to Kevin Baker were found in the archived files and are attached.</p> <p>These include his name in general lists of children at the institution and references to his capacity to be hired out for work and payment for work for the Sisters of Mercy at Neerkol.</p> <p>A letter from the Sister in Charge also refers to him as the bus driver at Neerkol.</p>
5.	Transcript page C7770 lines 46 and page C7771 lines 1-8: • Of the records reviewed, were any records or files dedicated to any individual child?	<p>There have been some Legal files relating to claims made by specific individuals produced to the Commission in response to requirements during the course of the process. Some of those Legal files contained copies of historic records or information concerning the individual making the legal claim.</p> <p>Ms Ryan did not review files or records dedicated to an individual child.</p>
6.	Transcript page C7771 lines 22-26 : Were any documents reviewed of the nature of providing medical advice back to Neerkol about a resident?	<p>There are a number of documents which evidence the department engaging in correspondence in relation to medical issues, but no records were found of medical advice being provided back to Neerkol in relation to a specific child (see Attachment 4).</p>
7.	Transcript page C7771 lines 31-41:	<p>The letter is dated 27 February 2014. However, it appears it is a typographical error as it was received</p>

	What was the date of the letter received from the Royal Commission?	via email on 27 February 2015.
8.	<p>Transcript page C7778 lines 4-16: Is there any evidence in the records indicating Neerkol was being underfunded?</p> <p>A: I think he asked me were those requests ever refused and I said that I don't recall them being refused, is my recollection of what I said. Certainly the Forde Inquiry is very clear that the orphanage was underfunded.</p>	<p>Records indicate a significant number of general requests by the Sisters of Mercy for funding and/or supplies including:</p> <ul style="list-style-type: none"> • Text books and general school supplies • Sporting equipment/uniforms • Beds/cots • Clothing for children entering the Eisteddfods, attending boarding schools in Rockhampton. <p>These requests were usually promptly responded to by the District Officer. Larger expenditures were sometimes referred to the Director in Brisbane for approval.</p> <p>There are a couple of documents evidencing that requests for funding were refused (Attachment 5).</p>
9.	<p>Transcript page C7783 lines 37-47 and page C7784 lines 1-7: Was there any evidence of compliance with the requirement under the <i>Children's Services Regulations 1966</i> for the governing authority to report promptly to the Director any illness or injury suffered by a child in a care residence?</p>	<p>Records (Attachment 4) include a number of references to children suffering illness or being treated for medical conditions; however none specifically indicate these are injuries resulting from physical or sexual abuse.</p>