



**QUEENSLAND CHILD PROTECTION  
COMMISSION OF INQUIRY**

**Statement of Witness**

<i>Name of Witness</i>	Philip Abraham HURST
<i>Date of Birth</i>	12/1/1972
<i>Address and contact details</i>	C/of Maroochydore Police Station. 07 54752432
<i>Occupation</i>	Police Officer
<i>Officer taking statement</i>	
<i>Date taken</i>	31/01/2013

I, Philip Abraham HURST state:-

1. I am a Detective Senior Sergeant of Police, registered number 7742, Officer in Charge of the Sunshine Coast District Child Protection and Investigation Unit (CPIU), Queensland Police Service. I have been in this position since the 13<sup>th</sup> of March 2012.
2. I have approximately 22 years policing experience with 17 of those years as an investigator with the CPIU, formerly known as the Juvenile Aid Bureau (JAB).
3. Prior to my current appointment I was a Detective Sergeant within the Sunshine Coast District CPIU for a period of approximately 10 years. Prior to that appointment I had been an investigator with the CPIU at the Sunshine Coast and Bundaberg.
4. I report to Detective Inspector Dave DRINNEN who is based at the Sunshine Coast District Office, Crime Services portfolio. Detective Inspector DRINNEN reports to Superintendent Terry BORLAND the District Officer, Sunshine Coast District.
5. The primary purpose of my role, as Officer in Charge Sunshine Coast District CPIU, is to assume responsibility for investigative functions for child abuse and youth justice activities; to manage and control resources, physical and human, and to coordinate policing functions.
6. The current population of the Sunshine Coast District is approximately 321,000 and covers an area of 3,127 square kilometres. By 2031 the population of the region has been

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forecast to increase to over 500,000 by the Queensland Government Planning Information Forecasting Unit (2008).

7. The Sunshine Coast region has a unique bush to beach culture and extends from the Mary River Valley over the Blackall Range to the Pacific Ocean. The communities on the Sunshine Coast are connected by good roads and public transport; a rail service connects the Sunshine Coast to Brisbane. Contained in the District is residential, medium high rise, resort style accommodation, industrial and farming areas.
8. There are 15 police divisions and 30 police establishments within the District.
9. The Sunshine Coast District CPIU has a total strength of 28 staff as well as 3 School Based Police Officers. Staff work from a number of different work units situated at Noosa, Nambour, Maroochydore and Caloundra. There is also a dedicated child abuse investigation unit situated at Maroochydore.

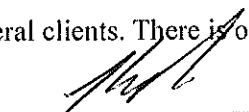
#### **Residential Care Facilities**

10. To my knowledge there are four current residential care facilities within the Sunshine Coast District and two semi-independent living accommodation residences. It is likely that there may be others operating within the Sunshine Coast that I am not aware of. It often occurs that police generally are unaware of residential care facilities until calls for service indicate that assistance or services are required from the police.
11. At this time two main non-government organisations are responsible for managing these facilities. There have been a number of other organisations that have run facilities in recent years that appear to no longer be operating. In relation to the location of the facilities there has been one consistent facility for over ten years on the Sunshine Coast but there is less stability in relation to the location of the other facilities.
12. The clientele for the facilities are often high needs youth who exhibits challenging behaviours, who are subject to Child Protection or Youth Justice Orders, and at times both. Clients on Child Protection Orders on occasion also end up on Youth Justice Orders as well, due to their behaviours in the facilities. The clients often also have a number of health, trauma or social issues that affect their behaviours that leads to increased calls for service from the police. Some residential care facilities provide 24 hour supervision for one high needs client (although none of the current facilities are operating like this at present), and others run hostel style accommodation for several clients. There is often a

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need for short term emergent accommodation for youth which is at times difficult to obtain.

13. The needs for child protection clients or those with health issues can be vastly different from the needs of youth justice clients and the individual nature of young people is an important consideration. There may be community stigma associated with young people in care facilities and it is important to realise that there may be a variety of reasons for children to require such assistance.

### **Calls for Service**

14. A search has been made of the records held at the Sunshine Coast District Communication Centre (QCAD data base) for police calls for service at the four residential care facilities between the 1<sup>st</sup> of July 2012 and the 31<sup>st</sup> of December 2012. The following is a summary of the calls for service to these premises.
15. *Nambour* premises, 10 incidents in total. 1 x missing person, 1 x wilful damage, 2 x assault (common), 1 x community assist and 5 x absconder.
16. *Sunshine Beach* premises, 16 incidents in total. 1 x wilful damage, 2 x drug related, 2 x community assist, 1 x stealing, 1 x curfew/bail, 1 x threats, 2 x attempted suicide, 1 x mental health emergency examination order, 1 x assist Queensland Ambulance Service, 2 x mental health, 1 x unlawful use of a motor vehicle and 1 x disturbance.
17. *Maroochydore* premises, 8 incidents in total. 2 x missing persons, 1 x assist Queensland Ambulance Service, 1 x drug related, 1 x transport, 1 x triple zero call with no voice, 1 x bail/welfare and 1 x absconder.
18. *Landsborough* premises, 32 incidents in total. 5 x absconders, 10 x bail/curfew, 1 x assist Queensland Ambulance Service, 9 x missing person, 1 x disturbance, 1 x stalking, 1 x drug related, 1 x community assist, 2 x wilful damage and 1 x assault.
19. In addition to the residential care facilities I am aware of two residences on the Sunshine Coast that offer semi-independent living for youth. It appears that a non-government youth organisation obtained a lease for a residential premises for the purpose of housing local youth who require accommodation. The clients for these residences often present with similar problems to those in full residential care facilities, but do not receive the same level of support.

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20. *Golden Beach* premises (unit), 6 incidents in total. 4 x noise complaints, 1 x street disturbance, 1 x missing person.
21. *Golden Beach* premises (house), 2 incidents in total. 1 x assault and 1 x sexual assault.
22. In total there have been 74 calls for service at residential care facilities for this period on the Sunshine Coast.

### Issues

23. The current status of residential care facilities on the Sunshine Coast is satisfactory taking into account the greater needs often encountered by the clients involved. I readily accept we do not have the issues that are often experienced in other areas, such as large numbers of these facilities and excessive calls for service. It is acknowledged that there is always room for improvement when dealing with the facilities on the Sunshine Coast.
24. There have been issues of concern with operation of residential care facilities over the years that required increased police attention and intervention. These issues have generally been managed by engaging management from the organisation operating the facilities. It also included engagement with the government agencies that manage the orders the client is under; being either the Youth Justice Service or Department of Child Safety, which at times are the funding provider for the accommodation provider. The aim of early engagement from a police perspective is to reduce the misuse of police resources, improve the way in which police respond, or to remove the need for policing intervention. Often valuable information was also passed to the organisations that assisted in their handling of future issues.
25. Repeat calls for service and the misuse of police resources is a common problem that is experienced from residential care facilities. There have been examples where police have been called:
  - a. as a behaviour management strategy for clients who are misbehaving but not breaking the law
  - b. to obtain missing person reports for clients who have failed to return on time or have deliberately decided to be absent from the facility
  - c. to find alternate placement for clients due to unacceptable behaviour or when relations with current worker have broken down
  - d. for clients who break 'house' rules or internal policy for the specific organisation

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- e. to talk to or provide warnings or behaviour counselling to clients.
26. There have also been occasions of clear criminal behaviour by clients within the residential care facility and there is commonly an inconsistent approach in relation to police engagement. There have been incidents of serious assault, damage to property, threats to workers and risks to workers' safety. It appears to be dependant on the particular worker involved as to whether the police are contacted and whether official complaints are made about the client's behaviour.
27. I am aware of circumstances where particularly serious assaults have been perpetrated against workers by clients who have not made a complaint to police. I have been made aware that workers have felt influenced on their decision to make a complaint by a number of external factors:
- The fear that the client had been on bail and at risk of being held in custody without bail if charged and the worker feeling responsible for a young person entering custody.
  - That if a child does enter custody the worker may not be offered any further work hours as it is my understanding that some of the youth workers were employed on a casual hourly basis.
  - That the employing organisation indicated that the worker would be unable to continue in employment with the client if a complaint was made to police.

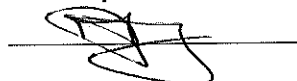
Influencing pressures such as these may be unintentional but there is a clear risk that the decision making process is being affected by these external pressures. This also has potential impact on the client's behaviour if they are not held accountable for clear criminal conduct.

28. There have been incidents where there has been clear criminal behaviour where police have been called to assist with management of the behaviours but requested not to arrest or otherwise take clients into custody, and no formal complaint made. This potentially raises concerns about the message being sent to the client when criminal behaviour occurs and the police attend and do nothing about the clear criminal conduct.

### **Problem Solving Strategies**

29. When issues do arise, and they regularly do, proactive and problem solving strategies are sought by police. There have been occasions when the client's behaviours or high rate of calls for service required further action where police have joint working parties with

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stakeholders to address the issues. The role of police and our ability to respond has been clearly presented to stakeholders, potential options for resolution provided and to reinforce the concept that the accommodation service provider has the primary responsibility to manage the clients behaviour; as a parent would who has custody of a child.

30. It is my belief that youth workers should have the option to first contact a supervisor or senior youth worker for support and strategies to address the client's behaviours. For clients with mental health issues, to contact a mental health professional and have plans in place for an emergency examination order. It should be acknowledged that clients are responsible for their own behaviour and there should always be consequences for criminal behaviour, with the outcome not being the responsibility of the worker or police.
31. During stakeholder meetings I have also obtained vital information that can assist police in their duties. On one occasion a client with mental health issues was continually lighting fires, which led to several serious charges and a very high risk of bail being refused. A custody contingency plan was created by the Department of Child Safety and the residential care service provider and provided to police in case the young person did enter custody. This outlined strategies for managing behaviour in custody, potential triggers for client outbursts, and diet and health information.
32. There have been occasions where the ongoing calls for service and needs of the clients have deteriorated to the point where clients have been moved from the Sunshine Coast to other care facilities that were able to ensure that proper supervision and support were provided. I am aware that funding was an issue as to availability of these other care facilities. There appears to be a link between the funding able to be obtained for clients and their risk of entering custody or if they are under a youth justice order.
33. Due to the nature of clients at residential care facilities it is common for them to have court ordered bail with residential and curfew conditions. Due to inconsistencies between organisations and with individual workers police are often not advised when breaches of these bail conditions occur. Police seek these bail conditions to reduce the risk of offending and antisocial behaviours by the clients and to protect the community. Having the consistent support of government funded youth agencies, to work with police and share information on bail breaches, would be an advantage.

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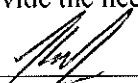


34. An issue that arises from the semi-supported living locations is the reduced level of support for clients often at high risk of ongoing criminal offending. Once clients have been placed in accommodation the social network of local disengaged youth use the residence as a place to socialise and gather without supervision. Ongoing alcohol and drug use by a larger networked group of young persons has resulted, and it is at times used as a base for criminal offending. Residential care facilities have been used by clients to support ongoing offending behaviour and for storing stolen property and drugs.
35. In relation to the level of training and qualification of staff working in residential care facilities it appears that there is great diversity in relation to skill levels. I have encountered exceptionally dedicated workers in this field but that has not always been the case. It is unclear what the required qualifications are for workers or the general level of experience held by these workers. The anecdotal impression obtained is that historically there has been a consistent turn over of staff and low levels of experience.
36. Having the opportunity to work with a number of youth accommodation providers over the years I have observed varying principles adopted in relation to their management. I have seen facilities that adopt strict curfews, drug and alcohol policy and behaviour expectations. Failure to adhere to these policies resulted in exclusion from the accommodation services provided, which commonly resulted in clients self placing in the community for the short term. I understand the tough decision made by some services to refuse young people access, and compare this with other services that are more accommodating to clients' undesirable behaviours. Anecdotal evidence and experience has led to the opinion that for disengaged youth or youth justice clients, services with stricter policies for behaviour and compliance produce better long term outcomes for clients. More therapeutic models are often important for mental health clients or those with trauma issues.
37. Due to the nature of residential care facilities a greater response for policing services is always to be expected. Any organisation providing residential care for high needs clients would benefit from creating early positive working relations with police and ongoing information sharing to either reduce calls for service or ensure best practice for the services that are required from police. As the need for police calls for service are often inevitable the current process seems very reactionary.
38. Residential care facilities on the Sunshine Coast are generally provided by non-government agencies, which are funded by government, to provide the necessary support

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QCPCI Reference: Authors initials / eDocs document number

services. The need for these services is a vital referral point for police and other government agencies, and a collaborative working environment is crucial. Any services provided in these facilities should be geared to teach clients to engage and reintegrate with their community and to transition to independence rather than just housing them until they turn 18.


  
P A HURST

**Declaration**

This written statement by me dated 31/1/13 and contained in the pages numbered 1 to 8 is true and correct to the best of my knowledge and belief.

  
Signed at Maroochydore Signature this 31<sup>st</sup> day of January 20 13

Witnessed:

  
Name Michael Duff Signature Rank PCC Reg. No. 18435

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