

QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY

STATEMENT OF NICOLA LINSEY JEFFERS

I, **NICOLA LINSEY JEFFERS**, of c/- Level 10, Suncorp Plaza Building, 61 Sturt Street, Townsville in the State of Queensland, Acting Regional Executive Director, solemnly and sincerely affirm and declare:

ROLE

1. I am the Acting Regional Executive Director, North Queensland Region, Department of Communities, Child Safety and Disability Services.
2. I hold a Bachelor of Arts in Psychology from the University of Central Queensland and am currently completing my Executive Masters of Business Administration at Queensland University of Technology.
3. I am acting as the Regional Executive Director, North Queensland Region, Department of Communities, Child Safety and Disability Services between the period 10 September 2012 up to and including 1 October 2012.
4. My substantive position is Regional Director, Child Safety Services, North Queensland Region, Department of Communities, Child Safety and Disability Services. I was appointed to this position in August 2012. Prior to this position I was the Regional Director for North West Services. I have worked in Human Services over the last 18 years holding senior positions in Non Government, Local Government and State Government services.

INTRODUCTION

5. The following statement provided is in response to the summons issued to me on 25 September 2012, by the Honourable Timothy Francis Carmody of the Queensland Child Protection Commission of Inquiry.
6. The information provided has been done so on the advice from the relevant business units responsible for management of the applicable areas.

QUESTIONS

You are to give evidence and produce all files about the removal of babies from their mothers while the mother and baby were in a hospital or medical facility in the North Queensland region from 1 July 2009 to present.

Data and case files

7. Information on the number of babies removed from their mothers while the mother and baby were in a hospital or medical facility is not directly available from the Integrated Client Management System (ICMS). Information that is available is the number of admissions to out of home care each year for the North Queensland region for any child aged 0 to 12 months. This information for the period of 1 July 2009 to 29 June 2012 is provided in the table below.

Signature of witness to Inquiry _____

Signature of person witnessing statement _____

Request No. Jeffers Statement number 3

Page 1 of 3

| | Total | 2009 | 2010 | 2011 | 2012 |
|----------------------------------|------------|-----------|-----------|-----------|-----------|
| Aitkenvale | 29 | 2 | 16 | 5 | 6 |
| Bowen | 4 | 1 | 1 | 2 | 0 |
| Gulf | 12 | 2 | 3 | 4 | 3 |
| Mackay | 28 | 5 | 10 | 5 | 8 |
| Mt Isa | 32 | 4 | 10 | 10 | 8 |
| North Queensland Regional Office | 38 | 21 | 9 | 4 | 4 |
| Thuringowa | 24 | 3 | 10 | 10 | 1 |
| Townsville | 30 | 0 | 12 | 11 | 5 |
| Total | 197 | 40 | 71 | 51 | 35 |

8. Please note: Based on the design of ICMS, the figures shown above for the "North Queensland Regional Office" should be taken to include data from the Regional Intake Service or for specific teams established to provide a regional response to outstanding notifications.
9. To identify the number of babies removed from their mothers while the mother and baby were in a hospital or medical facility for the timeframe specific and across the North Queensland region, and to produce the related client files, a manual review of all 197 cases shown above is required. This review has been commenced but has not been completed within the 24 hours since the summons was issued.

Policy position and practice

10. The decision to remove a child from their family at any time is a significant decision and one that must be carefully considered, balancing the importance of attachment and connection with the need to ensure the child's safety and wellbeing.
11. Child Safety has a legislative responsibility to investigate and assess child protection concerns if it is reasonably suspected the child has been harmed, is being harmed, or is at risk of being harmed and does not have a parent able and willing to protect them from harm.
12. In addition, the *Child Protection Act 1999*, section 21A, obligates Child Safety to take appropriate action where there is reasonable suspicion an unborn child may be in need of protection after their birth. However, any intervention by Child Safety requires the consent of the pregnant woman and must not interfere with her rights and liberties.
13. Appropriate actions by departmental officers when presented with significant concerns for an unborn child may include:
- an assessment of the initial concerns to determine whether the commencement of an investigation and assessment should be delayed until after the birth of the child
 - contact with the pregnant woman to gain her consent to proceed with the investigation and assessment
 - where consent has been obtained, commencing the investigation and assessment
 - where consent has not been provided, delaying the investigation and assessment until the birth of the child.

Signature of witness to Inquiry _____

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14. The decision to delay the commencement of an investigation and assessment until after the birth may only occur when there is a high probability that, if alerted to the concerns, the pregnant woman would relocate to avoid intervention by Child Safety at the time of the birth, thus placing the newborn baby at increased risk of harm.
15. In circumstances where a newborn baby has been assessed as being at immediate risk of harm from the time of birth, action may be taken to secure custody of the child by:
 - negotiating with the parents for the child to be placed under a care agreement
 - using powers under section 18 of the *Child Protection Act 1999*
 - applying for a Temporary Assessment Order or Court Assessment Order, where further assessment is required
 - applying for a Temporary Custody Order, where no further assessment is required.
16. Where a child's immediate safety needs warrant their removal shortly after birth, discussion will occur between Queensland Health and Child Safety.
17. In cases where a decision has been made to remove a baby, Child Safety works with family members to ensure the ongoing attachment between the infant and parents can continue to be nurtured while critical decisions are made regarding the longer term safety and wellbeing of the child. Family contact arrangements from birth are identified as crucial, and planning will be undertaken with the family to promote early attachment between the infant, mother and family members in a safe environment.
18. Following the completion of the investigation and assessment and dependent on the family's circumstances, assistance from other agencies may be provided in regards to housing, domestic and family violence, disability, drug and alcohol use or general parenting and budgeting issues.
19. The decision to remove a child at birth is arguably one of the most difficult decisions a worker will ever make. The department does not make decisions to remove infants lightly and would only take such action if there were serious grounds for concern.
20. This decision is not made in isolation by an individual worker. Child Safety Services staff access practice resources and procedures to inform their decision making. Further, Child Safety Officers gather information from multiple sources to inform their decision making and to arrive at the decision in consultation with the Team Leader, Senior Practitioner and Manager.

Declared before me at Townsville this 26 day of September 2012.



Signature of witness to Inquiry _____

Signature of person witnessing statement _____