

Michael Prain

From: Christine Castley <Christine.Castley@premiers.qld.gov.au>
Sent: Wednesday, 20 March 2013 12:12 PM
To: Michael Prain; Rebekah Naranjo
Subject: FW: Child Protection Commission of Inquiry

FYI - please let me know your thoughts

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-----Original Message-----

From: Christine Castley
Sent: Wednesday, 20 March 2013 12:10 PM
To: Jon Grayson
Cc: Anthony Crack; Rebecca McGarrity; Tina Davey
Subject: FW: Child Protection Commission of Inquiry

Hi Jon

See below - Tim Carmody has written to the AG asking for an amendment to his Terms of Reference, so he can more fully consider evidence relating to the Heiner inquiry. Commissioner Carmody has indicated that this will not impact on timing or funding for the Commission of Inquiry, but will enable him to fully consider all submissions received to date. I understand the AG is inclined to agree to the request.

In the interests of progressing this as quickly as possible, JAG is proposing a letter from AG to Premier Exempt Sch.3(1)(e) Disclos I have no concerns with this approach but wanted to check if you had any issues?

Regards
Christine

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-----Original Message-----

From: Jennifer Lang
Sent: Wednesday, 20 March 2013 11:56 AM
To: Christine Castley
Cc: Natalie Parker (Justice); Victoria Moore (Justice)
Subject: Child Protection Commission of Inquiry

Hi Christine

As discussed, Mr Carmody has written to the Attorney-General about the appropriateness of term of reference 3 (e) which refers to the Heiner inquiry (without naming it as such).

As you may be aware, Mr Carmody has sought submissions on the scope of term of reference 3 (e). He advises that some of those submissions, if he were to accept them, would prevent him from continuing to hear evidence about related facts or circumstances unless he concludes that there was historic child sexual abuse. It now appears that the Heiner matter was unrelated to child sexual abuse.

Mr Carmody has recommended an amendment to his terms of reference to the effect of:

- ' to make full and careful inquiry in an open and independent manner of Queensland's child protection system, with respect to:
- (e) reviewing the adequacy and appropriateness of any response of, and action taken by, the executive government between 1 January 1998 and 30 December 1990 in relation to allegations (including any allegations of criminal conduct) associated with:
 - (i) child sexual abuse in youth detention centres, or like facilities; and/or
 - (ii) investigations or inquiries into industrial disputes in youth detention centres or like facilities.

Mr Carmody indicates that expressing 3(e) in this way will enable him to fully consider the totality of the subject matter that appears to lie at the heart of 3(e). He also indicates that this will require no further resources or time.

It appears that the Attorney-General is minded to agree to this suggestions.

As discussed, we will prepare a letter from the AG to the Premier about the proposal

Exempt Sch.3(2)(1)(b) Reveal Cabinet consideration

Exempt Sch.3(3)(1)(e) Disclosure of consideration of Executive Council

Please advise if this causes any concern.

Kind regards
Jenny
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