

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Wednesday, 21 October 2020**

**3348. Hon Nick Goiran to the Leader of the House representing the Minister for Child Protection**

I refer to question on notice 3228, in which it was stated that in the 2019-20 financial year, Communities received notification of 31 cases that met the five criteria for an investigable child death, and I ask, for each of the 31 cases, which of the criteria did they meet to thus be defined as an investigable child death?

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**Answer**

Investigable deaths are defined in section 19A(3) of the *Parliamentary Commissioner Act 1971* and occurs if a child dies and any of the following circumstances exists:

- (a) In the 2 years before the date of the child's death, the CEO had received information that raised concerns about the wellbeing of the child or a child relative of the child;
- (b) In the 2 years before the date of the child's death, the CEO, under section 32(1) of the *Children and Community Services Act 2004* (CCS Act), had determined that action should be taken to safeguard or promote the wellbeing of the child or a child relative of the child;
- (c) In the 2 years before the date of the child's death, any of the actions listed in section 32(1) of the CCS Act was done in respect of the child or a child relative of the child;
- (d) protection proceedings are pending in respect of the child or a child relative of the child;
- (e) the child or a child relative of the child is in the CEO's care.

Please [*see tabled paper no.*] for a breakdown of each of the 31 investigable child deaths in the 2019-20 financial year in relation to the five circumstances listed as (a) through (e) above.



## Investigable Child Deaths - Section 19A(3)(a)-(e), *Parliamentary Commissioner Act 1971*

Case number	Criteria determining investigable child death				
	a	b	c	d	e
1.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
2.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
3.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
4.	Applicable	Applicable	Applicable	Applicable	Applicable
5.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
6.	Applicable	Not Applicable	Applicable	Not Applicable	Not Applicable
7.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
8.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
9.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
10.	Applicable	Not Applicable	Applicable	Not Applicable	Not Applicable
11.	Applicable	Applicable	Not Applicable	Not Applicable	Not Applicable
12.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
13.	Applicable	Not Applicable	Applicable	Not Applicable	Not Applicable
14.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
15.	Applicable	Applicable	Applicable	Applicable	Applicable
16.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
17.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
18.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
19.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
20.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
21.	Applicable	Applicable	Applicable	Applicable	Applicable
22.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
23.	Applicable	Applicable	Not Applicable	Not Applicable	Not Applicable
24.	Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
25.	Applicable	Applicable	Applicable	Not Applicable	Applicable
26.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
27.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
28.	Applicable	Not Applicable	Applicable	Not Applicable	Applicable
29.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
30.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable
31.	Applicable	Applicable	Applicable	Not Applicable	Not Applicable

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- (b) In the 2 years before the date of the child's death, the CEO, under section 32(1) of the *Children and Community Services Act 2004* (CCS Act), had determined that action should be taken to safeguard or promote the wellbeing of the child or a child relative of the child;
- (c) In the 2 years before the date of the child's death, any of the actions listed in section 32(1) of the CCS Act was done in respect of the child or a child relative of the child;
- (d) protection proceedings are pending in respect of the child or a child relative of the child;
- (e) the child or a child relative of the child is in the CEO's care.