Date

Name

Officer in Charge

Station Child Protection Investigation Unit

Queensland Police Service

Address

SUBURB

Dear Name

**Re: Prosecution under section 239(1) of the *Education (General Provisions) Act 2006* (Qld)**

On date, the Regional Director, insert name of region, Department of Education consented to bring proceedings against parent/s full name/s for failing to ensure that their child, young person’s name, is participating full-time in an eligible option.

Section 239(1) of the *Education (General Provisions) Act 2006* (Qld) (the Act)provides that each parent of a young person in the compulsory participation phase must ensure the young person is participating full-time in an eligible option.

Young person’s name is enrolled in an eligible option at insert school/provider name, but parent/s name/s has failed to ensure that they attend regularly.

OR

Young person’s name is not enrolled full-time in an eligible option.

As far as ascertainable:

* {delete if enrolled in an eligible option} the young person is not enrolled at any school or with any provider;
* the young person has not been granted an exemption from the compulsory participation requirements;
* the young person is not registered with the Home Education Unit to undertake a home schooling program;
* the young person is not engaged in full-time employment; and
* there is no reasonable excuse as per s.239(2) of the Act for the parent/s not ensuring that they participate full-time as required.

Under s.242(1) of the Act, proceedings for an offence against s.239(1) may be brought against a parent:

(a) by the chief executive or with the chief executive’s consent; and

(b) only if the time when the parent is alleged to have committed the offence is after:

(i) the parent has been given a notice under s.241(2); and

(ii) at least 1 meeting has been held with the parent under s.241(3) or the parent has been given a warning notice under s.241(4).

The Regional Director is the chief executive’s delegate for s.242(1)(a) of the Act. The Regional Director has given consent for proceedings for an offence against s.239(1) to be brought against parent/s full name/s.

Please find enclosed copies of relevant documents in this regard, namely:

* the Notice and Warning Notices;
* the General Briefing Note to the Regional Director seeking consent;
* a summary of the region’s/school’s interaction with parent/s full name/s to encourage compliance;
* an extract copy of the *Instrument of Delegation under the Education (General Provisions) Act 2006* (Qld) authorising the Regional Director to consent to bring proceedings as the Chief Executive’s delegate; and
* an evidentiary certificate pursuant to s.410 of the Act.

Please note that the region/school does not have a copy of the young person’s birth certificate so the Queensland Police Service will need to obtain documentary evidence confirming parentage if required.

Originals of all of the abovementioned documents can be provided as required. If an original certified copy of the *Instrument of Delegation under the Education (General Provisions) Act 2006* (Qld) is required for a brief of evidence (for example, to establish the Regional Director’s authority to sign an evidentiary certificate), please contact me.

I request that the appropriate steps now be taken to commence a prosecution of parent/s name/s for an offence against s.239(1) of the Act, for failing to ensure that young person’s name is participating full-time in an eligible option.

The contact details for all relevant persons are as follows:

{insert contact details for authorised officer (school and/or region), provider (if relevant), regional director, parent/s, and any other relevant witnesses}

Should you require any additional information or require assistance to contact witnesses or obtain statements, please contact me directly on {insert phone number}.

Please note that the department keeps records of the outcomes of these matters. Should you elect not to proceed, the department asks to be notified along with an explanation. Similarly, if the matter does proceed, the department would like to be informed of the outcome of the prosecution, and if the matter is discontinued at this stage, the reasons for such discontinuance.

Yours sincerely

Name of Authorised Officer

Position title of Authorised Officer

Name of region Region

**Authorised Officer**

Ref:

Enc