ANNEXURE A

DEPARTMENT OF CHILD SAFETY (DOCS) CHILD CLASS ACTION
NOTICE TO GROUP MEMBERS OF DISCONTINUANCE

Approved by the Honourable Justice Dowling by orders made on 14 October 2026.

CONTEXT

This Notice relates to a class action in the Federal Court of Australia (the **Court**), namely *Burns v State of Queensland* (VID944 of 2023) (the **DOCS child case**). It is referred to as the DOCS child case because it made allegations against the Queensland Department of Child Safety about certain conduct and consequences for First Nations children following their removal from their family by the Department. It was one of two DOCS class actions being run together, the other being the DOCS parent case (*Gunning v State of Queensland* (VID943 of 2023)).

The Court has ordered this Notice to inform Group Members that it has approved the discontinuance of the DOCS child case, and about the nature and effect of that discontinuance on the Group Members' claims.

If this Notice was sent to you, it is because you have told the lawyers for the DOCS child case that you believe you are a Group Member.

THE DOCS CHILD CASE

The DOCS child case made allegations about certain conduct and consequences for First Nations children following their removal from their family between March 1992 and November 2023 by the State of Queensland under the *Child Protection Act 1999* (Qld) and preceding legislation.

DECISION TO DISCONTINUE

The DOCS child case was commenced with the support of a litigation funding agreement from a UK funder called Therium Litigation Finance Atlas AFP IC.

In September 2025, funding was terminated, and the applicant's lawyers were not able to find other funding.

On 24 April 2026, the applicant filed an application seeking the Court's approval to discontinue the DOCS child case because it was no longer funded and could not proceed without funding.

On 28 September 2026, the Court held that a discontinuance would not be unfair or unreasonable or adverse to the interests of Group Members and gave approval for discontinuance. The Court's reasons for that decision are published online: see *Gunning v State of Queensland (Discontinuance)* [2026] FCA 1418.

HOW DOES THE DISCONTINUANCE AFFECT GROUP MEMBERS?

The applicant's substantive claims have not been heard and determined, nor have any claims of any Group Member.

The discontinuance of the DOCS child case does not deprive any Group Member of the right to commence a new proceeding against the State of Queensland raising the same issues as in the DOCS child case, if they decide to do so.

The only thing which has changed by the discontinuance is that **any limitation period** that applies to the claims of any Group Member, which was **suspended** by the commencement of the DOCS child case, will **no longer be suspended**. In particular, the limitation period will begin to run again on the date that is 60 calendar days after the Notice of Discontinuance was filed with the Court, which occurred on Friday 16 October 2026. This means that the limitation period will begin to run again from 15 December 2026.

You do not have any liability for legal costs in connection with the discontinuance of the DOCS child case.

WHAT DO YOU HAVE TO DO?

You do not have to do anything, but if you want any legal advice about anything in this Notice, you should seek your own legal advice.