

COMMUNITIES — POLICE RAID

172. Ms M.J. DAVIES to the Minister for Child Protection:

I refer to reports today of the impact a police raid has had on an employee of the minister's department and reports that she has been refused access to detail of what she has allegedly removed from the department.

- (1) Why has she been refused this detail?
- (2) Why has this employee been stood down without pay, given the police have elected not to press charges and there is no criminal case to be answered?

Ms S.F. McGURK replied:

- (1)–(2) I am happy to address this point, but it is important to understand what we have made clear in the Parliament and what the department has made clear when it has been asked to make comment on this matter. Now that the police have decided—although I do note that they said there was a *prima facie* case, perhaps for criminal charges—it is not in the public interest to pursue those charges at this stage, the Department of Communities will undertake an internal investigation to look into the matters that prompted the complaint to the police in the first place.

I reiterate, as I have done a number of times in Parliament and publicly, that a large number of documents—some 2 600 documents—were sent to an employee's personal email account with 5 000 emails. A number of those documents contained some very sensitive information, including details of children in care. It was the scale and nature of those documents that led the director general of the Department of Communities to first of all make a complaint, or to relay that information, as he understands he is obliged to do under the guidelines of the Public Sector Management Act, to the Public Sector Commission, the Corruption and Crime Commission and the police. However, now there will be an internal investigation by the Department of Communities. The Department of Communities, as was partly relayed in *The West Australian* coverage of this story today, has advised that the Public Sector Management Act provides guidance on the management of disciplinary matters. There are standard time frames in which responses are sought, and extensions of time are routinely requested and granted by investigators. Staff are actually supported to engage with the employee assistance program and other external service providers. The Department of Communities also ensures that individuals who are at the centre of allegations are given a contact person within the department with whom to communicate so they can make sure they are clear about what is expected of them and can meet the expectations of the department.

All Department of Communities staff are issued with a laptop and provided with multiple pathways to access departmental systems so that they can work from home. This is done to ensure that staff are not required to save sensitive and confidential information to personal storage devices or send it through private email. Staff are not authorised to access private and confidential information outside approved departmental systems. Any attempt to do so is a breach of the department's code of conduct. The Department of Communities operates a professional IT department that includes an IT helpdesk that is available online or by phone to respond to all technical issues, including help for staff working remotely or from home. Remuneration of staff during any disciplinary investigation is managed under the Public Sector Management Act.

The way the opposition has handled this matter is interesting to me. We were in Parliament yesterday. This matter of the alleged breach of a large amounts of sensitive information was not covered by *The West Australian* yesterday and so no questions were asked in Parliament. Nothing arose during question time or matter of public interest business, but when there is coverage in *The West Australian*, all of a sudden the opposition decides it has urgent matters and needs to ask questions. That is how lazy it is. I thought that the Minister for Mines and Petroleum summed it up very well in private members' business last week when he said that what is happening in this Parliament is that the opposition reads the newspaper and comes in with the news for the Parliament. That is the opposite of what is supposed to happen. What is actually supposed to happen is that the opposition does research, asks questions, conducts investigations and talks to stakeholders and comes up with the news of the day, and that is then reported in the daily newspaper, but not in WA.

This has been a very difficult situation but I am not apologetic about the way the Department of Communities has handled this. There was a suspected breach of a large amount of information and some of that was very sensitive information. We have an obligation under the guidelines of the Public Sector Management Act to report that, as we did. We have an obligation to allow the police to undertake its investigations, which the Department of Communities did. People would be rightly critical of us or of the Department of Communities if we did not allow that to take place.