

SELECT COMMITTEE ON THE ISSUE OF POLICE CLEARANCE CERTIFICATES FOR PEOPLE WORKING WITH SENIORS

Establishment - Motion

MS S.E. WALKER (Nedlands) [6.06 pm]: Mr Speaker -

The ACTING SPEAKER (Mr M.J. Cowper): Order, members, I cannot hear the member for Nedlands.

Ms S.E. WALKER: I move -

- (1) That a select committee of the Legislative Assembly be appointed to inquire into, report and make recommendations on -
 - (a) the adequacy of current state and commonwealth legislation in relation to police clearance certificates to protect senior citizens;

The ACTING SPEAKER: Order, please. Those wishing to leave the house please do so in an orderly fashion. Those wishing to remain please give due diligence to the member for Nedlands.

Ms S.E. WALKER: Thank you, Mr Acting Speaker, for protecting me. I will start again.

Mrs C.A. Martin interjected.

Ms S.E. WALKER: I move -

- (1) That a select committee of the Legislative Assembly be appointed to inquire into, report and make recommendations on -
 - (a) the adequacy of current state and -

Mrs C.A. Martin interjected.

Point of Order

Dr J.M. WOOLLARD: Point of order, Mr Acting Speaker.

The ACTING SPEAKER (Mr J.R. Quigley): Sorry, point of order. I was looking at my notes.

[Applause.]

The ACTING SPEAKER: I thank members for their acclamation; I appreciate it.

Dr J.M. WOOLLARD: Mr Acting Speaker, I was unable to hear the member for Nedlands because there is so much noise at the back of the chamber.

The ACTING SPEAKER: I am sorry, I was unable to hear you, member for Alfred Cove, for the same reason.

Debate Resumed

Mrs C.A. Martin interjected.

Ms S.E. WALKER: Has the member for Kimberley finished?

Mrs C.A. Martin interjected.

Ms S.E. WALKER: Mr Acting Speaker, I move -

- (1) That a select committee of the Legislative Assembly be appointed to inquire into, report and make recommendations on -
 - (a) the adequacy of current state and commonwealth legislation in relation to police clearance certificates to protect senior citizens;
 - (b) the inclusion of “pending charges” and “spent convictions” or any other matters on police clearance certificates for people who work for senior citizens;
 - (c) specific primary prevention strategies and interventions to prevent abuse of senior citizens in this state; and
 - (d) any other relevant matters.
- (2) That the committee report to the Legislative Assembly by 30 September 2005.

I realise that this may not be a serious issue for government members because they are not interested in the fact that many senior citizens in their electorates may be subject to abuse. The fact that they are just as interested in trying to assist their members in the Legislative Council is very apparent, because they would rather talk nonsense than contribute to a debate about how we can protect our senior citizens. My constituency of Nedlands

comprises 7 204 constituents over the age of 60, of which 3 134 are men and 4 069 are women. It comprises 601 men and 1 284 women over the age of 80. In the over-90 category there are 93 men and 290 women.

I have moved this motion in light of some recent cases that have emerged about unscrupulous, evil people - in this case two women - who have preyed on some of our elderly senior citizens, while working for commonwealth and state-funded agencies. They have stolen hundreds of thousands of dollars from those people. In one case it is alleged that the offender married an elderly person to gain access to his pension. I pause to acknowledge the thousands of genuine volunteers and people employed in the industry. I am referring now to individuals who deliberately and maliciously set about to befriend vulnerable people to whom they have gained access through employment. They are no better than paedophiles who ruthlessly access organisations and workplaces to sexually molest children.

I am not talking only about our state; this happens Australia-wide. I refer to an article in the Adelaide *Sunday Mail* of 13 March this year, headed "RSL home carer takes Digger to the cleaners. Veteran conned out of \$170 000". It reads in part -

A young woman has been accused of swindling \$170,000 from a 91-year-old war veteran and spending the lot in two months.

Fraud squad police are investigating the alleged theft from a World War II Digger by his carer at an RSL home.

Leonard Goss, who fought in New Guinea, signed over his life savings to the carer, who was a university student at the time.

He was a 91-year-old man. It continues -

The woman - who had \$2 in her bank account - bought a \$40,000 car, paid off her \$6000 HECS debt and signed up for an expensive medical course.

She also gave away \$60,000 to friends and went on a \$10,000 African safari.

Mr Goss signed over power-of-attorney to the woman and changed his will in her favour before he died in early 2004.

His family was powerless: The money had been spent before they knew he had signed over the cheque and medical experts later ruled that Mr Goss had the mental capacity to make the gift.

The then Liberal Party deputy leader said that the Returned and Services League home knew about the money being given to the carer in January 2003. However, because of privacy laws, its management was not able to tell the family. The deputy leader is quoted as saying -

His family thought, being a returned serviceman, he would receive the best of care and attention.

Unbeknown to his family, the night carer . . . was taking exceptional interest in his financial affairs.

When he was most vulnerable was when his carer struck, sending him to the Westpac Bank to obtain a bank cheque for \$170,000 made out to herself and even wrote the note to the teller, along with the story that he was incapable of concocting.

I am seeking the state government's agreement to establish a select committee, because commonwealth-state policies are strongly encouraging elderly people to stay in their homes for longer rather than move into hostel care. Given the ageing population, the elderly and vulnerable will increase in number. This policy of providing in-home care will enable people to have access to elderly and vulnerable people and to form intimate and personal relationships with them.

In my electorate the elderly can phone a hairdressing service, which will attend to the elderly in their homes. That is great. You would know, Mr Acting Speaker (Mr J.R. Quigley) from your past experiences with the criminal mind at work, that that would allow the person going into the home to make contact and create a relationship. However, if the client was going to the hairdresser, there would not be the same opportunity to create a relationship. It is not just about money; visitors can access medication, and it is not unknown for people to kill for money, as you would know, Mr Acting Speaker. The Goss case went before the Queensland Guardianship and Administration Tribunal in September 2003, after the family complained. A relative of Mr Goss, who declined to be identified, was quoted as saying that the family complained to Queensland police in 2004, but because Mr Goss had died it was difficult to prove that a crime had been committed. That family had no recourse. The same protection should be afforded to our senior citizens as the Parliament recently extended to children with the passage of the Working with Children (Criminal Record Checking) Act 2004.

I became involved in this because a constituent of mine came to see me last year about a friend of hers. The constituent's name is Mrs Mildred Clarke. There is no secret about it; it has been a big story in the local papers. Her friend was Mr Harry Morris. She wrote a book with him called *Memories of New Guinea: Rabaul 1937-1942*. Mr Morris was a World War II veteran. He employed a lady by the name of Mrs Buzolic as his carer, through a commonwealth agency run by the Department of Veterans' Affairs. Mrs Clarke came to see me because she was concerned about his circumstances. She was a friend of not only Mr Morris, but also his wife, Joan, who had died in August 2003. They had been married since 1946. What Mr Morris did not know when he employed Mrs Buzolic, was that at the time she was facing serious criminal charges in the Perth District Court for stealing a total of \$401 000 from another senior citizen, who lived in Attadale, in the electorate of the member for Alfred Cove. He was another war veteran who was terminally ill with lung cancer. The report on the front page of the local newspaper details her dreadful actions against this man. At the same time, but unbeknown to my constituent, Mr Morris, she also had spent convictions for fraud in the north of the state. This did not show on the police clearance certificate she was obliged to provide to the employment agency. I will say something about some of the employment agencies and the services they provide. I have a card for one of the home help services, which I will not name because it is in my electorate. The services that agency provides include personal care, homemaking, housekeeping and cleaning, companion and care sitters, transportation and shopping, family respite services, infant and child care, private nursing, midwifery services, nursing visits, post-surgical care, staff relief, paediatric care, palliative care, Alzheimer's care, paramedical services, multicultural services, and cruise and travel assistance. That is in addition to all the services provided by elderly support services in the community.

The front page of my local newspaper of 16 April 2005 had the headline "Secret wedding shock". The article read -

A secret wedding between Harry Morris, an 87-year-old Nedlands widower, and his 44-year-old carer stunned his family a few months before he died last year.

The carer, Estella Buzolic, now stands to inherit part of his estate, which could include a share of his \$1 million property on The Avenue, near the river.

Mr Morris's youngest son Grant (42) said his father also bought his carer a four-wheel-drive car for \$48,000, lent her big amounts of money and paid her up to \$1000 a month in housekeeping.

Mrs Buzolic is currently in custody waiting to be sentenced after being found guilty in the District Court last Friday of stealing \$401 000 from Mr Gledhill, whom I spoke about just now. The marriage to Mr Morris took place shortly after Mrs Buzolic started to care for him. According to Mrs Clarke and his family, she established a relationship with Mr Morris. She then moved out and started a relationship outside working hours. She married him in secret and without the family's knowledge.

Mr A.D. McRae: They would say that, wouldn't they?

Ms S.E. WALKER: No, and there were witnesses to the marriage. I think that statement is rather callous.

Mr C.J. Barnett: I know the people and they would not have said that.

Ms S.E. WALKER: The point is that she was found guilty on Friday, 8 April on two counts of stealing a total of \$401 000 from a terminally ill man suffering from lung cancer. In 2003 she befriended Mr Gledhill, who is a constituent of the member for Alfred Cove, while caring for him in his Attadale unit. The jury was told that Mrs Buzolic transferred \$395 000 to a bank account using a cheque with Mr Gledhill's signature. The detective said that it looked as though she had squeezed the word "thousand" and three zeros on it. She also cashed cheques for \$6 000 and \$1 000. She tipped a car salesman \$1 000 cash when she bought a new car for \$20 000 the week before Mr Gledhill died. She also spent \$24 000 on whitegoods and \$1 550 on clocks and jewellery, and put a \$5 000 deposit on a \$620 000 block of land. These people are totally despicable; they are the lowest of the low. Stealing from a dying man who served his country, who was an upstanding citizen, who had a family and who served his community is totally despicable. It is up to us as politicians and up to this state Parliament to look at ways in which we can ensure that the elderly citizens of this state are protected from evil people such as Mrs Buzolic and the student in Adelaide who stole from the 91-year-old war veteran.

Mr Morris is my constituent. I want to say something about him and his life, because I think it is important to humanise the people we speak about in this chamber. I hope that at the end of this debate the government will support this motion. I cannot see how the government would not vote to support it. It is a sensible motion for a sensible inquiry and one that we must have. Mrs Clarke is a constituent of mine and was a friend of Mr and Mrs Morris. She has this to say about him -

The late Henry “Harry” Morris was a “self-made” man who rose from having little money to affording some of the first luxuries seen in Nedlands, such as a pool and a river view from his self-built home, his son, Grant, said.

Harry was familiar with hardship having lost his father when he was still a toddler and his mother, Gladys, scraped by on a wage washing and ironing people’s clothes to raise four children, of whom Harry was the youngest.

By the age of three Harry’s right lower leg became infected with tuberculosis and four inches of the infected bone was removed in an operation that left him with one leg permanently shorter than the other.

Mildred Clarke, a friend, said that it didn’t stop him playing sport and he was swimming four days before his death on May 15 . . .

Harry went on to get a scholarship at Perth Modern School and graduated with a degree in traffic engineering and highway construction from the University of WA in 1936.

Mrs Clarke said he loved music, playing the violin as a boy and later the organ, but he gave it away when his hearing faded after 1970.

. . . he joined the army but transferred to the air force, using his engineering skills to build airfields in New Guinea and to help the allied forces fight against the Japanese.

In his book, he recounts how he had a narrow escape from the Japanese forces as he and a team of New Britain men paddled hundreds of kilometres in a canoe before being rescued by a seaplane.

While in the Air Force in Perth, he met his wife, whom he married in 1946. He had three sons, a daughter and 12 grandchildren. As I said before, his wife suddenly died of a stroke at age 79 years.

In her correspondence with me, Mrs Clarke points out that when people of that era have had a very long marriage and their partner dies, they are very lonely and very vulnerable. Obviously, people such as Mrs Buzolic know that. It does not really matter what age those vulnerable citizens are. As I said, it provides dangerous opportunities for people to access the financial accounts and also the medicine of those elderly citizens. Those people go down to the pharmacy to get the medicine. Who knows what they can do in those situations. The inquiry is necessary because of the ever-increasing dangers that face our elderly, vulnerable citizens. As I said, a massive number of baby boomers - you are one of them, Mr Acting Speaker (Mr J.R. Quigley) - are heading towards their older years, and the whole thrust of the commonwealth-state policy seems to be heading towards the provision of services in the home.

My belief is that the inclusion of pending charges and spent convictions on police clearances should be considered. It should be mandatory. Let us face it, it is nothing new. Mrs Clarke is a local author and historian. She is a marvellous researcher. Senior citizens are great. I commend her for the work she has done. We are debating this motion in this Parliament today because of Mrs Clarke’s tenacity. I have with me information about police clearances; it has been accepted by Catholic schools and the association. This was issued in January 2003. This document refers to the Department of Education and Training policy. It states -

- The Department of Education has a duty of care to place fit and proper staff in schools . . .

A Police Clearance is required from

- All new employees joining the Department of Education.
- WA university students undertaking teacher training.
- Other people in schools eg Contract Cleaners, CDEP people, Work for the Dole etc.

Consenting to a police clearance

- You are consenting to an Australia-wide criminal records check.
- The check will be conducted via the Federal Government’s *CrimTrac Agency* in Canberra.
- The Department of Education cannot obtain a police clearance without your consent.
- Please give your consent by completing the attached . . . form.

There is a fee of \$29. The document continues -

The Department is entitled to disclosable court outcomes. In addition the Department is lawfully entitled to obtain information about certain spent convictions, including spent convictions for offences under the following provisions of *The Criminal Code*:

This deals with children, so there are sexual assault provisions, child stealing provisions and desertion of children provisions etc. There is no reason that this inquiry could not look at the spent convictions of someone's family members. We should think about our own parents, if they are still alive. If our parents were on their own for most of the time and were terminally ill or frail - for instance, Mr Morris was deaf - would we not want to know about the character of the person who was going into their home? We would. In relation to pending charges, page 5 of the document states -

Do you have any charges pending before any court? Please tick:

There is an expectation by the education department that a person will provide pending charges. The document states -

The State Police Clearance has been replaced with a National Police Certificate. This new National Certificate costs \$41.00 (as opposed to the State clearance of approx. \$19.00). The new National Police Certificate was introduced without any consultation with the not for profit sector. It was introduced on the 7th February.

It states further -

Appropriate screening and risk management needs to be in place. Whilst police certificates are essential for some agencies to have as part of their screening purposes, they should not be relied on as the only form of screening.

Pending charges and spent conviction charges are nothing new. Last year this Parliament passed the act I just referred to, which is the Working with Children (Criminal Record Checking) Act 2004. It is a very comprehensive and detailed act, which provides for procedures for checking the criminal records of people who carry out or propose to carry out child-related work. It is also designed to prohibit people who have been charged with, or convicted, of certain offences from carrying out child-related work and to provide for related matters. My motion asks that a select committee report not only on the adequacy of current state and commonwealth legislation on police certificates but also to investigate and report on specific primary prevention strategies and any other relevant matters. That can extend to disabled people, if necessary. Sections 22, 23 and 24 of the act make it quite clear that an employer must not employ someone in child-related employment if he becomes aware that the person has been convicted of certain offences. I will not go into the offences as they are listed in schedule 2. They mostly relate to sexual assault offences. It is a long list. As an example, the Catholic Education Commission would have to make its own inquiry. Section 23 states -

People issued with negative notice or interim negative notice not to carry out child-related work

If a negative notice or an interim negative notice has been issued to a person and is current, the person must not -

- (a) be employed in child-related employment; or
- (b) carry on a child-related business.

Penalty: a fine of \$60 000 and imprisonment for 5 years.

People are also not allowed to be employed or carry out child-related work without a current assessment notice. If we have gone to the trouble of ensuring that this particular group of very vulnerable people in our society are as protected as they can be, we must ensure that - as politicians and given the evidence we have about what is happening with the frail, elderly and terminally ill - we do everything we can to protect senior citizens in this state. There is no reason the same effort cannot be put into providing similar legislation for the elderly and vulnerable.

What has been the state government's response to Mrs Clarke? It has been quite poor. I did not realise until now that it was the member for Girrawheen who wrote the letter. I am sorry she is not here. Mrs Clarke wrote to the Premier with her concerns. This is what the member for Girrawheen replied on 27 April 2005 -

Dear Mrs Clarke

Thank you for your letter and attachments concerning the inclusion of 'pending charges' in Police Certificates for aged care workers. The Premier has asked me to reply on his behalf and apologise for the delay in responding to you.

The Government has made the care of senior and other vulnerable citizens a high priority. Carers of the aged and vulnerable have an equally high responsibility to be above reproach.

Please be assured that the Government has supported, and will continue to support, procedural and legislative reforms designed to protect vulnerable members of the community.

In this regard, it is anticipated that the issue of 'pending charges' in Police Certificates will be raised at the next Australian Police Ministers' Council to be held in June 2005.

That is it. What is proactive about that? I repeat -

Please be assured that the Government has supported, and will continue to support, procedural and legislative reforms . . .

The government does not support, it enacts; it brings things on. I want this government to bring it on. The minister does not have to go to the Australasian Police Ministers' Council to make a decision on this issue. The Department of Education and Training has in place procedures whereby people can ask for spent convictions. The minister has in place the Working with Children (Criminal Record Checking) Act 2004. I ask myself: what is the problem? The minister will remember an article in the *Sunday Times* written by Nick Taylor on 24 April 2005 that states -

Minister for Seniors Bob Kucera said the State Government ran a police check program for those who worked in the volunteer sector.

But employment of carers could be made under federal or state funding programs.

"In the case of Estella Buzolic, her employment was made through the Federal Veterans' Affairs program," Mr Kucera said.

"In order to provide greater protection for West Australians who may be taken advantage of by people of questionable character, I will be speaking with the Australian Government about closer information sharing and the potential for accreditation following meetings just this week with key umbrella groups in WA.

I want the minister to just do it. The thousands of seniors in my electorate and all electorates, including all the baby boomers, will be interested to know what the minister's and the government's response is to this matter. I understand that when the house agrees to form a select committee, a chairman is appointed. I do not want to be chairman of the committee; I just want a solution to this issue. It is not difficult; it just requires legislation to be drafted and a decision to be made.

On behalf of my electorate I have referred members to these very sad stories. It is very sad that these people have been left unprotected, through no fault of their families. Often the families do not know what is going on. They are dealing with very cunning, ruthless and manipulative people. The older people are at the mercy of these types of people, and it is too late. I urge the minister to agree to the opposition's request that a select committee of the Legislative Assembly be appointed to inquire into and report and make recommendations on the areas that I have raised in the motion.

MR R.C. KUCERA (Yokine - Minister for Seniors) [6.37 pm]: I thank the member for moving the motion because it allows me to highlight the enormous amount that is being done in this area. As the member for Nedlands is not the opposition spokesperson for seniors, she might not be aware of the many things that are being done. I am not sure who is the opposition spokesperson for seniors.

Mr J.E. McGrath interjected.

Mr R.C. KUCERA: I thank the member for South Perth. Obviously our parties recognised our talents in this area.

The government opposes the establishment of a select committee because many of the things that have been talked about are being done. The time of select committees of this house is so valuable that the duplication of effort seems totally unnecessary. However, I will take on board -

Ms S.E. Walker: That is very sad.

Mr R.C. KUCERA: I ask the member for Nedlands to let me finish. I have some time to talk on this matter and I will comment on many of the issues she has raised. It is important to know that the federal member for Curtin is the Minister for Ageing. I hope the member for Nedlands has discoursed with her federal colleague on this issue because many of the issues involved in this matter are part of the federal minister's portfolio. The state and the federal government have a very good working relationship on this issue.

I will quickly refer to the proposals of the member for Nedlands on the adequacy of state and commonwealth legislation and the inclusion of pending charges and spent convictions. I have no problem with that issue. If it were possible to put that into the policies, procedures and processes that work throughout the aged care industry, I would be delighted to do so. I commend Mrs Clarke on her protection of Mr Morris and the matters that she raised on his behalf. I will talk about specific issues in a moment regarding my background in the Police Service. Prior to entering Parliament I was on the board of a number of major aged care homes. One matter in particular related to a number of issues that involved the honesty and integrity of employees.

I will now refer to the reasons that I do not see the necessity for this issue to be referred to a standing committee. As a result of the active ageing strategy that was introduced into this house by the previous Minister for Seniors, the member for Kenwick, a group called the Alliance for the Prevention of Elder Abuse was established, and it is currently examining all the issues being talked about today. A strategic plan, which has been signed off, has been put in place for 2005-08. I am more than happy to reinforce the issues that the member for Nedlands raised about people having spent convictions or charges pending. I am more than happy to have the alliance examine those issues. It is my understanding that the alliance is already examining those issues; therefore, it would be a waste of Parliament's time to do something that is already being done by an eminent group of people. The alliance consists of senior members of the Western Australia Police Service.

Ms S.E. Walker interjected.

Mr R.C. KUCERA: It will be an amazing day when we eventually discover the centre of the universe, because the member for Nedlands will be devastated to realise that she is not it.

This is an important and vital issue for elder people in this state, and it must be addressed properly. However, the difficulty is that the member for Nedlands is showing enormous ignorance about what is already being done by a group of people who have the interests of elders at heart.

The member for Girrawheen was quite right when she said that any amendments to national police certificates must follow an agreement between the state and commonwealth Commissioners of Police. This issue has already been raised. I understand that it was taken to the council of Commissioners of Police to determine whether clearance certificates can include the things to which the member for Nedlands referred. Regardless of whether I want or the government wants to make a decision, if there is no agreement across the commonwealth these things cannot occur. That process has already been undertaken with regards to children. If there is a need to do the same for elders, that is fine. However, when dealing with elders, a different range of issues is involved.

Ms S.E. Walker interjected.

Mr R.C. KUCERA: Here we go again; it sounds as though the Rottneest crow is back!

No specific state or commonwealth legislation requires persons working or volunteering with elderly or disabled people to complete a mandatory criminal history check. All the major providers of service require this of their employees. At the end of the day, and as the member for Nedlands said, no certificate can protect the elderly from the actions of people who deliberately set out to take advantage of them. I will relate some of the circumstances -

Point of Order

Ms S.E. WALKER: I ask that the minister be truthful when recounting what I said. He is putting words in my mouth. I did not say that it would not offer protection.

The ACTING SPEAKER (Mr J.R. Quigley): Will the member identify the standing order that she is addressing?

Ms S.E. WALKER: The usual standing order, Mr Acting Speaker.

The ACTING SPEAKER: There is no point of order.

Debate Resumed

Mr R.C. KUCERA: Organisations dealing with elder care that use paid or unpaid staff deliver risk management strategies as a matter of course. One of the difficulties that the state encounters is that much of the aged care industry now comes under the auspices of the federal member for Curtin, who is the Minister for Ageing. Nobody wants to see this kind of thing happen. The alliance formed and established last year brings together all the agencies in Western Australia that provide direct services to people who have been or who are at risk of elder abuse. That includes the group of people to which the member for Nedlands referred.

Mr R.F. Johnson: Does that include private organisations?

Mr R.C. KUCERA: Yes, it does. Those that draw funding from federal or state organisations - the vast majority do - come under this alliance. I am pleased the member for Hillarys raised this. The level of choice introduced by the federal government for people who are receiving age pensions and disability support pensions is creating a difficulty for us, because people can employ a carer. The nature of the aged care and disability services industry is such that at the moment anybody can set him or herself up as a carer.

The member for Nedlands referred to an article in the *Sunday Times* for which I was interviewed by Nick Taylor. As the Minister for Disability Services; Seniors, I have already had a number of meetings with the carers industry in this state to see whether we can introduce a system of accreditation for carers per se. Obviously we cannot impose those regimes on the commonwealth government, but if the major people involved in this alliance start to deal with the issue of accreditation, there is no reason that should not occur. I dealt with this sector of the

industry before I came into Parliament, and nowadays very few agencies would not go through the process of screening and checking these people. At the end of the day, even if a police certificate were to include all those spent convictions or charges pending, it would not totally protect or guarantee the person being cared for.

Mr R.F. Johnson: Somebody may not have previously committed a crime.

Mr R.C. KUCERA: Exactly. I will give an example of an incident that occurred before I came into Parliament and when I was on the board of a major home in this state. A number of cases relating to wills were investigated by the police and Aged Care Services Australia. This home had developed a reputation for the number of benefactors that came from the home itself - people had passed on and left their money to the home. Concern was expressed about this. A major inquiry was conducted, as reported in the *Sunday Times*, which then brought into play a range of policies for the aged care homes and the people who provided the services. However, at the end of the day, care in individual's homes is also provided by family members.

The children's legislation relating to sexual abuse is very specific; however, the only way to overcome the situation in which a person with no prior convictions strikes up a relationship with someone and then does the kinds of things that it is alleged Mrs Buzolic and those involved with the home I mentioned have done is by all these organisations working cooperatively to develop a set of practices, policies and principle that protect the people who are subject to abuse. We do not need to legislate for the issues that come out of the medical and the care professions at the other end of the scale; we are expected to rely on the kind of things that happen.

Ms S.E. Walker interjected.

Mr R.C. KUCERA: I know very well what we are talking about. I locked many of these people up. Nobody would give any credence at all to the Mrs Buzolics of this world who prey on these elderly people. Of course, we do not want that to happen. I am more than happy to arrange for the member to be briefed by the Office for Seniors Interests and Volunteering about what is already occurring within this sector. National police certificates are already in place. The issue of including pending charges and spent convictions on police clearance certificates for people who work with senior citizens will be raised with the Commissioner of Police to determine whether these things can be applied.

A host of other specific prevention strategies already apply. I think the member for Nedlands was in the house when it passed a package protecting seniors by increasing penalties and ensuring that circumstances of aggravation apply for people who intentionally prey on such vulnerable citizens. Those measures are already in place.

Mr R.F. Johnson: I think that legislation related mainly to violent crimes.

MR R.C. KUCERA: That was the case, but other areas are taken into account. It can be seen from the response in the Mrs Buzolic case that judges thankfully will take into account the fact that a crime is against a vulnerable person. A range of elder abuse is involved. The member for Nedlands moves along a very narrow path of what is termed elder abuse, which can involve a range of issues, such as medication, physical abuse, monetary abuse and the manipulation of wills. All those things are covered. This indicates the caution that people must have when putting family members into care. That is why people must seek out reputable agencies. In the area of disability, I encourage people to work with their local area coordinators to ensure that when people have received considerable payments from workers' compensation and motor vehicle injury compensation they are properly looked after. It is no different from a senior who sells the family home and moves into an aged care home to be looked after. Those things have been put in place. The alliance to which I refer is under the auspices of the Office for Seniors Interests and Volunteering and is supported by the Police Service, Department of Health, Disability Services Commission, Advocare, Office of the Public Advocate, Legal Aid Commission of Western Australia, Office of the Chief Psychiatrist, Public Trust Office and representation from indigenous and ethnic communities. That alliance meets on a regular basis. Funding research has been provided to consider elder abuse in indigenous and culturally and linguistically diverse communities. I am more than happy to raise the issue the member for Nedlands has posed today with that eminent group. I am more than happy to reinforce the view put by the member for Nedlands.

Mr R.F. Johnson: Did you just say that it was mainly elder abuse in indigenous and ethnic communities?

MR R.C. KUCERA: It is across the board. There are specific needs for indigenous communities and for people from culturally and linguistically diverse communities.

Mr R.F. Johnson: But it relates to elderly people from mainstream Australia.

MR R.C. KUCERA: Yes; it deals with everyone. The Office for Seniors Interests and Volunteering has access to the Office of Multicultural Affairs. Much of this work is being done. Elder abuse is broader than the areas about which the member for Nedlands talked. It is psychological, physical and financial abuse. Another issue is sheer neglect. As we have been through an election campaign, we know from knocking on doors of the number

of lonely people who on a daily basis see only the Meals on Wheels lady or the person who brings their medication from the pharmacy. They see no-one else. That in itself is often an issue of neglect when it comes to such matters. How do we legislate for such things? We cannot legislate in that regard. We must make the community well aware of vulnerable people. The community must be well aware that groups deal with the issue on the ground on a day-to-day basis. In the case of Mr Morris, for instance, there is no doubt that he was dreadfully let down by the very person he trusted. Did the member for Nedlands name the agency that provided the carer?

Ms S.E. Walker: No.

Mr R.C. KUCERA: I have no doubt that the agency that provided the carer, if it did so through the Veterans' Affairs Network, would be absolutely mortified to think that one of its people had done this.

I again come back to the individual carers. The wages and conditions this industry provides to the people who work within it are really at the bottom end of the scale. However, the level of compassion and care that is shown is probably at the very pinnacle. Some people will enter the industry for their own ends or will enter the industry with good intentions but will get sidetracked when they see big dollar signs. That kind of thing happens. Yes, we must prevent it. However, the way to prevent it is to work collectively with the organisations to ensure that they put in place checks, balances and policies to make sure it cannot happen.

I return to the federal ageing strategy, or perhaps the lack of one. I remind the house that nearly eight years ago the federal government took over the control of "aged care" in this country. Why did that happen? It did not happen because the federal government wanted to gradually get into the aged care business, but because a group of carers put a very elderly woman into a bath full of kerosene. I do not need to remind members of that. The people involved in that incident had gone through an accreditation process. I understand that some were medically registered in various occupations. However, it still occurred. The knee-jerk reaction of the federal government was to immediately take over the role of running aged care in this country. That has not been an absolute success. The consequence has been that the people who work at the very bottom end of the sector are now some of the most poorly paid people in health care in this nation. That situation needs to be specified and pointed out. It also greatly disturbs me that at a time when this nation has the financial capacity to do something about that, the federal government is instead trying to punish people who draw upon disability services. It is not trying to work with them. All those kinds of things are happening. Why should that be happening when there is a perfect opportunity to do something?

The issue that has been raised today should not be a political point-scoring exercise. It is something on which we should work together. An alliance has been set up. The people who are part of that alliance are some of the most eminent people working in the care industry in this state. They should be allowed to get on with the job. I am more than happy to take to these people the issues that the member for Nedlands has raised and to talk about whether we need to address them either legislatively or through a policy framework that would apply to everybody who works in this area. I feel for Harry Morris as much as I do for anybody else to whom something similar has happened. Perhaps the member for Nedlands is not aware of my history of working in this field and of the extent to which I have been involved with these groups, and not just since coming into Parliament. I have not just sat in a parliamentary office or electorate office and made bland statements to my constituents but have worked on the ground with people who deserve care. I take off my hat to the vast majority of people who work in the disability and aged care sector. The commitment and compassion those people show is quite amazing, given the wages they are paid. That does not excuse the people who would prey on the Mr Morris of the world. The government is aware of that.

I compliment the previous seniors and disability services minister, Hon Sheila McHale. She set some great things in place, and I am proud and privileged to have taken those over.

I am meeting tomorrow with the federal Minister for Ageing, Hon Julie Bishop. I will point out some of the issues that we need to address in working together. I will again raise this issue with her. The point I am making is about whether we should set up yet another parliamentary committee to examine something that is already being considered in detail. More importantly, the issues raised are being implemented and worked with. Policy frameworks, practices and processes are all being put in place. There are all those kinds of issues.

Debate interrupted, pursuant to standing orders.

House adjourned at 7.00 pm