

CHILD PROTECTION AND FAMILY SUPPORT — DRUG-ADDICTED PARENTS

Grievance

MR P. ABETZ (Southern River) [9.48 am]: My grievance is to the Minister for Child Protection and family services. I present this grievance because of my concern about the increasing number of young children who are living with a drug-addicted parent or caregiver and to raise my concern that too many child protection workers do not seem to think it is a serious issue for a child to live in a drug-affected household. From media reports, it does not seem that this situation is unique to Western Australia. To illustrate the situation, I will give an example of one of my constituents, whose name I will obviously not use in this chamber to protect the privacy of his young daughter. He has been in touch with me over several years, starting in September 2012, to let me know that his seven-year-old biological daughter was living in a Homeswest residence with her drug-addicted mother who has legal custody of the child. My constituent expressed very strong concerns about his daughter's welfare and explained that she is poorly fed and poorly clothed; she is attending school for only 65 per cent of her school time; and other drug users frequently visit the home where she lives with her mother. Photos of drug paraphernalia taken in the house by his daughter with a mobile phone and submitted by my constituent to the department and the police were found, much to my astonishment, and his astonishment, to be insufficient evidence for any action to be taken. The father at the time was in a new relationship and was willing to and capable of looking after his daughter. The father was unable to pursue custody of his daughter as he does not have the financial means to fund the case in the Family Court and he was refused legal aid. The department has the power under the Children and Community Services Act 2004 to remove at-risk children, but it has not acted, and in so many other cases that have come to my attention, it does not seem to act. In October 2012 the then Minister for Child Protection wrote to me advising that the department was taking Mr X's concerns seriously and was working with the family. In December 2013, after raising it again with the minister, I received a letter that states —

For reasons of confidentiality, I am unable to provide you with detailed information about this case. I can, however, confirm that the Department does not have significant concerns for ... in the care of her mother.

That is exactly the problem. The department does not seem to have concern about a young child living with an addicted drug user in a house frequented by other drug users, possibly even traffickers, and missing so much of her schooling. I am told that a Department for Child Protection and Family Support worker in Armadale told the grandmother, who was concerned about her granddaughter living with her drug-addicted mother, that just because someone is a drug addict does not make them a bad parent. Frankly, I think that if a child is prevented from attending school to the point of missing more than a day a week because the mother, together with her new fellow addicted partner, are not in a fit state to look after the baby the mother has given birth to, that is a serious form of child abuse. The system is setting up that child to fail educationally and thus condemning her to live well below her potential and making her much more susceptible to becoming a social security dependent person later in life.

Homeswest has acknowledged that a tenant cannot use Homeswest premises for illegal purposes, but it said it wanted more information and that photos were not sufficient. It does not matter which department my constituent approached, the outcome was always the same—no action. Curiously, I have seen increasingly in Family Court documents that the Family Court issues orders that restrain all parties having parental responsibility for a child from consuming illicit substances in the presence of the child. In other words, the court is actually saying, “You can take drugs, but don't take them in the presence of your child”, as if taking them in the presence of the child was the only way that a child could be harmed. Drugs are mind-altering substances and we should not entrust any child to the care of a person under the influence of an illicit substance. Frankly, if our child protection system is unwilling or unable to remove a child from a drug-affected household, in my view the system is failing.

Under the provisions of the Children and Community Services Act 2004 the best interests of the child are to be of paramount consideration. Every child should be cared for and protected from harm. An authorised officer or police officer can move a child to a safe place if there is risk to the wellbeing of the child because of the nature of the place where the child is found or if that child is an absentee student. The department can actually lodge a protection order with the court and an authorised officer can take a child into provisional protection without a warrant if the officer suspects that there is an immediate and substantial risk to the child's wellbeing.

It is obvious that the Department for Child Protection and Family Support has numerous and significant powers to protect a child who lives at substantial and immediate risk in a drug-addicted environment. My question therefore is: why is action not being taken by the department in so many cases that keep coming to my attention? I agree that we should support families and that the removal of children should be a very last resort, but let me

say that when I ran a drug rehab support group, many of the young women decided to take the step to quit their addiction and seek help only once their children were taken away or when they were told that if they did not get clean, their children would be taken away. It was a wake-up call that many needed. By leaving children in drug-addicted households we are not doing those kids any favours, nor are we doing the parents any favours either.

I appreciate that it would be inappropriate for the minister to provide any details of the case that I have presented, but I believe that a review of the procedures and policies of the department for these types of cases is needed because no child should be left in the care of a parent or carer who is using illicit drugs, especially when alternative drug-free environments are available with the extended family.

MS A.R. MITCHELL (Kingsley — Minister for Child Protection) [9.54 am]: I thank the member for Southern River and I appreciate his bringing this grievance to the house. As he said, I am not able to comment at this time on the particular circumstances that he is concerned about, but I am happy to meet with him and get some further details so that I can look into it again for him. Obviously, it is something that the member is very concerned about and I know many members in this chamber would have similar circumstances brought to their attention that need to be considered.

I will give the member for Southern River an outline of how the Department for Child Protection and Family Support works in those types of cases. I want to reassure him that it definitely takes every case seriously. It definitely wants to have the best outcome for a child; that is its focus. It is imperative that we do everything we can to achieve that. I will give an outline on this matter. The member might be aware that the department receives about 100 000 contacts a year from people who have expressed a concern about a child or family. It is the department's job to work through those. Out of those approximately 100 000—I use that figure, which is different from year to year—18 500 would be about notifications of child abuse and neglect, so that figure comes down. To consider the figures, about 14 000 cases would be determined to be significant enough to undertake what the department calls a safety and wellbeing assessment, and that is to examine the safety of the child. The department does a detailed analysis of about 14 000 reports each year. Out of that—we keep coming down—in about 4 500 of those assessments it is often determined that significant harm has occurred and is occurring. As a result of those assessments, 975 would be brought into the care of the department. That means that between the 4 500 for whom there is concern and the 975 that might come directly into the care of the chief executive officer, those others will be found family carers, foster carers, kinship carers and support like that.

It is a complex and difficult system and there is not a simple process that says, “This is what you do when ...”. That is always the difficult part to understand. I can assure the member that as I read a lot of background notes I receive, I am shocked—absolutely shocked. I thought I knew a little bit about life, and I probably did, but I am really shocked at what I am reading and what I am learning. The member made a statement—he is absolutely right—that parents who use drugs are a risk to their children. There is no question about that. Drug use certainly impacts on their ability to be a good parent and to provide the support, safety and supervision that is required as a parent. It is not just a matter of putting food on the table; there is much more to being a parent. The impact of drugs on a person changes their behaviour and how they view other people. They become very self-focused. Unfortunately, parental drug and alcohol abuse is one of the most common reasons that children are removed from their parents and brought into care. The other reason is family and domestic violence. Those three factors tend to be the most common reasons that children go into care.

I am amazed by the department's caseworkers. They are incredible and they put their heart and soul into their work. They have a formal process of going through a thorough assessment and they look at the past and the present situation, and what it will be like going forward. They speak to the parent or parents and to the child, and they do that in an amazing way to get information from them. They also speak with other relevant people so that they get the full picture of what is going on; they do not take just one person's point of view. That is important and it is one thing that they will always do, because that is the only way to make a decision based on the best interests of the child.

I think the member has heard that the department uses a world-renowned framework—“The Signs of Safety Child Protection Practice Framework”. As the member knows and understands, the child's safety is paramount.

If parents go through this process, they sometimes have to admit—once again, it depends on the drug, how much they are using and what is going on—that the children could remain at home with the parents if they are willing to put the children first and work with the department to address their drug use. That is what we want. We do not want to take children away if we can avoid it. That work is intensive and it often continues. It might be done intensively and then done again. It is important to do that if there is a chance to improve the situation.

However, if the assessment finds that the parents' drug use is unacceptable, the department will look into it. Hopefully, it will do that with other family members and other significant people. The department has a range of strategies and resources, and it will always do everything it can to work on the situation at the home level, but if

there is concern, caseworkers are always available for people to contact them. They will work with the children. The member is right about education; I agree totally. We must ensure that, whatever happens, children attend school and do so in such a way that they can learn and develop, because we do not want those children to fall behind before they move into society. I will touch base with the member and get further information and come back to him with more details.