

**MINISTER FOR COMMUNITY SERVICES — PERFORMANCE**

*Standing Orders Suspension — Motion*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [2.56 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That this Parliament condemns the Minister for Community Services for failing to address the ongoing crisis impacting the department of child protection, presiding over a toxic and combative culture and silencing those who speak out.

I understand there has been a discussion behind the chair.

*Standing Orders Suspension — Amendment to Motion*

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

To insert after “forthwith” the following —

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members

*Standing Orders Suspension — Motion, as Amended*

**The DEPUTY SPEAKER:** Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

*Motion*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [2.57 pm]: I move the motion.

Just to reiterate, this motion comes off the back of two questions that were asked in question time today and ongoing concerns held by the opposition. We heard today that an employee of the Department of Communities has been stood down without pay regardless of whether a police investigation will be ongoing. Police have determined that it will not proceed because it is not in the public’s best interest to proceed with that.

From our perspective, there is also a concern that this is becoming a worrying pattern over the course of the past five years: if someone does not agree with the government or challenges its policy agenda, they are cut off, dismissed and become persona non grata. That is not only in this department but in particular in this department. There has been a number of examples over the past five years, culminating in what we saw as the raid on this individual’s home. In the Department of Communities, a department that we know is in crisis, accounts of dysfunction have managed to find their way to the light regardless of what this minister and government has tried to do to ignore or downplay or deflect or deny.

That is what this minister and this government has done. We have canvassed the police raid many times. Last week in Parliament we discussed the raid on a Department of Communities’ employee’s house in search of leaked documents. I am not sure we needed to read about it in the paper this morning, but one could assume that this would have caused serious distress for the individual and her family involved, causing many sleepless nights since it happened. Today it was revealed that that same employee has been stood down without pay, pending the outcome of an internal investigation being carried out by a department that is accused of being racist and dysfunctional; it is investigating one of its own. I would have thought that an independent inquiry would have been a far better process to go through.

We also have Dr Tracy Westerman, a cultural competency expert, an Aboriginal woman who wrote a report at the request of the department that identified widespread and endemic racism within the department. The report sat ignored on the shelf for two years, and when it eventually saw the light of day, the minister dismissed the author and the report, characterising its findings as ludicrous. When asked to walk back from those statements, she did not. She actually doubled down in Parliament and now Dr Tracey Westerman is suing the minister for her comments, a matter that I will not go into in detail in here. This is serious, and the question that the opposition asked the Premier today, given that we have seen the Premier in court for a defamation case and that we now have the potential for the Minister for Community Services to be in court with a defamation case, was whether the Premier can counsel the minister to ensure that the exposure to the taxpayer is minimised. After having received the report, and having squashed it somewhere below the radar in the department for two years, the minister clearly did not want it to see the light of day, and has now made some very unfortunate comments publicly about someone who is an expert in their area and has an understanding of the department.

We have also seen the minister ignore the union and a number of child protection workers within the department who have been calling for support to manage their significant caseloads. I know that the Deputy Leader of the

Ms Mia Davies; Mr David Templeman; Deputy Speaker; Ms Libby Mettam; Mr Mark McGowan; Ms Simone McGurk

---

Liberal Party will speak more to this in a moment. There are reports that child protection workers are taking their charges at home at night because they simply cannot cope with the case numbers they have. I hope that this minister is on the Premier; Treasurer's doorstep every week demanding that some of the state's surplus be spent on those 200 additional employees that the department is asking for. Otherwise, it is simply another example of this minister ignoring the people who have a deep understanding of the dysfunction within the department.

Finally, foster carers who have interacted with the department on a regular basis over the course of a number of years are finding their way to the light to explain their poor experiences and relationship with the department as they have moved through the system advocating on behalf of their foster children. That rot starts at the top, with the minister, to take responsibility for things that I think most people would find incredibly difficult to listen to. A Western Australian foster carer, who claimed that she was being punished by the Department of Communities after making a written complaint that included serious allegations of sexual assault against children in protective care, said that she was stood down after making the complaint. This is the way that this government deals with people who disagree or find an issue within the government. They are denied due process. The government deflects that it has happened. The issue is dismissed. This is very unfortunate, because this particular foster carer said that they went from being a forceful advocate for the department to simply saying to those who might take up that role that they should do anything but, because their experience had been so toxic in relation to the management of their charges. Further cases have come to light just this month that have been canvassed publicly as well.

The defence mounted by the government in private members' business last week was quite astonishing. No fewer than three ministers stood to protect this minister; we are not usually graced with the presence of one. I would suggest that that absolutely demonstrates that this is a minister under pressure. She is not managing the dysfunction in her department and cannot answer the questions being raised about how and when we will see a change in the dysfunctional nature of an organisation charged with the care of the most vulnerable people in our state.

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [3.04 pm]: I rise to support the motion moved by the Leader of the Opposition. Another day, another damning report regarding the Minister for Child Protection and her mismanagement of such an important portfolio, representing some of our most vulnerable children. The opposition has been asking a range of questions. The shadow Minister for Police asked two questions yesterday in the other place. The issues are broad and very detailed. The Leader of the Opposition talked about the two reports, two years apart, that have effectively been dismissed by the Minister for Child Protection. We also read in the *Fremantle Herald* issues about child protection workers who were forced to take children under the department's care home to their families or leave them sitting in the office because of the lack of resourcing. I will quote from this article.

**Ms S.F. McGurk** interjected.

**Ms L. METTAM:** The minister will have a chance to respond later. I quote from Ms Rikki Hendon, who told the *Fremantle Herald* —

“I think it is fair to say it does place workers and their families under significant pressure,” Ms Hendon said.

...

“It's apparent to our members that the department has normalised having cases unallocated.”

She does not support the opposition's calls for the minister's resignation. We certainly ask why, given that it is the same union that stated in January —

“Workers carry excessive, unsafe and unsustainable workloads that place them and the vulnerable families and children they work with at risk.”

The union has asked for an additional 200 child protection workers to address these very real concerns in the department. We have also heard that three quarters of children in care are being moved between different caseworkers, some having between four to seven case managers over two years. What an extraordinary statistic. That was reported by Annabel Hennessy, who has been following these issues closely. In 2020, we had a damning report about an alleged Perth paedophile ring that was housing already traumatised victims of child sexual abuse. That led to a report with some very damning recommendations about how the Department of Communities, in particular child protection, is not working. The department does not consistently ensure that high quality and safe care by well-trained and supported staff and carers is provided to children and young people in the care of the CEO. I will leave my comments there.

**MR M. MCGOWAN (Rockingham — Premier)** [3.07 pm]: The government will not be supporting this very, very nasty and pathetic motion moved by the Liberals and Nationals WA. The thing about the Minister for Community Services; Child Protection is that she has endless amounts of compassion and understanding for families and children often going through some of the most difficult of times and circumstances. She argues for them within government and achieves outcomes that have never been achieved before. That is the truth of the matter. I am going to say it

Ms Mia Davies; Mr David Templeman; Deputy Speaker; Ms Libby Mettam; Mr Mark McGowan; Ms Simone McGurk

---

again: Western Australia has had the first reduction of Aboriginal children in care over the last year in the last 25 years. A reduction had not occurred in the last 25 years, but it has under this minister. She has changed legislation to ensure that we mandate the involvement of Aboriginal organisations in child protection decisions. We have implemented the Target 120 program to support families going through these sorts of crises so that, hopefully, we can keep children out of care and ensure families can manage their own affairs in a better way, particularly those suffering with children who might be wayward or in trouble. We have invested in early intervention programs for struggling families, giving many of these contracts to Aboriginal-controlled organisations. We invested, in the 2021–22 state budget, a massive \$198 million boost to important community safety programs and initiatives across the state. There was \$93 million of increased funding for child protection services. Over our five years in office, we have increased the number of child protection workers by 200 full-time employees. The previous government over eight and a half years did not achieve half of that. That is what has occurred over the five years of this government in office.

One of the policies we took to the state election, which we are implementing, was to extend foster caring for young people to the age of 21 years, which is known as the Home Stretch program. That is rather than the foster child program suddenly finishing when children turn 18. They are out in the world at 18 years old after having been a foster child. We have extended the funding through to the age of 21. A child during those formative years—I am saying a child, even though they have technically achieved adulthood—can stay in the foster care arrangement to the age of 21 because the state government has funded it. That is a remarkable program, a remarkable thing to have done, to support those young people in the most difficult of times and circumstances.

I turn to a few other points that were raised. I want to be really clear with everyone: the Department of Communities is not racist and the staff are not racist. They are not racist. I mean this. It is a phrase that is being thrown around about an organisation with thousands of people working in it, devoted to lifting the living standards of the most disadvantaged Western Australians. It is the largest organisation of its type in Australia, really, west of Melbourne, that is devoted, in the largest jurisdiction in the world, to assisting disadvantaged people, particularly of Aboriginal background. It has thousands of staff, and that is what they do every day. I think it is preposterous to accuse these people of being racist. They are very good people who do a difficult job in difficult circumstances. Rather than these sorts of outrageous slurs on their character, I think we should be endorsing and supporting the work that they do around our state. They are out there in regional communities—in hot, dusty, dry communities, often in difficult circumstances—helping many families with many, many issues and many people with intergenerational problems in their lives. They do not deserve this sort of treatment. They do not deserve these sorts of epithets being thrown around at them. I just want to be clear: I support the people who work in the Department of Communities and the child protection workers around Western Australia. That is why, since we have been in office, we have employed an additional 200 full-time employees. It is not an easy role and they deserve our support. They deserve to know that the government of Western Australia is on their side in relation to these matters and in these times.

I turn to defamation action. As I outlined in question time, defamation actions are brought against ministers. Colin Barnett said something in relation to Hon Joe Francis. I will quote what Colin Barnett said when Joe Francis was being pursued in a defamation matter. This is what Colin Barnett, the former Premier, had to say —

“It was a long established rule that if a minister, in doing his job, someone takes (legal) action against him—and that can happen for all sorts of reasons—then the State stands behind (the minister),” ...

That means Colin Barnett, Richard Court and other Premiers over time. Otherwise, ministers cannot do their job because people can sue them out of office. It is a well-understood protocol across governments of all types over many decades in Australia, in every jurisdiction. That is a well-understood protocol—except, it appears, by this opposition, which does not understand much at all.

Finally, I just want to make a point. Remember that the last government wanted to close half the remote communities around Western Australia. Remember that? It was out there promoting the closing of those communities where people have lived for literally thousands of years. That was its policy. What do you call that? There was international attention for what it was trying to do there. That is what the former government did when it was in office, and it comes in here throwing these lines around. Look what it tried to do: close those communities. It called its members rapists and used all sorts of abusive phrases towards people who were pretty defenceless. That is what the former government did in office. The Leader of the Opposition was a minister in a government that tried to do that.

**MS S.F. MCGURK (Fremantle — Minister for Community Services)** [3.17 pm]: I thank the Premier for his comments. I also want to say why I think it is ludicrous to expect Parliament to support this motion. I ask members listening to this debate to think about what the opposition did in its eight and a half years in government in relation to child protection. What initiatives did it put on the table? What change did it implement? What supports to the systems did it put in place? I cannot think of anything. I cannot think of one thing it did. We have been able to invest in early intervention with new money and to give a significant part of that new money to Aboriginal-controlled

Ms Mia Davies; Mr David Templeman; Deputy Speaker; Ms Libby Mettam; Mr Mark McGowan; Ms Simone McGurk

organisations. We have now enacted significant law reform to ensure that Aboriginal organisations are required under law to be involved in placement decisions and cultural planning for Aboriginal children and young people in care. We are looking at innovation and Aboriginal family-led decision-making pilot, which is a very exciting project. There is the therapeutic court in the Children's Court and pre-birth planning in cooperation with King Edward Memorial Hospital and Fiona Stanley Hospital. Under that pre-birth planning, there has been a 50 per cent reduction in babies coming into care. We would think that would be something that those on the other side of Parliament would be excited about, but, no, they cannot do it. They cannot bring themselves to be pleased about initiatives that are resulting in good outcomes for some of the most vulnerable people in our state.

I am proud of that work. It is difficult work, as the Premier said. I am proud of the work force. Five years ago, the Department of Communities commissioned a report to look at how it could better serve Aboriginal people within its own workforce and in the communities it served. That was a challenging report to commission, as it was to reach some of the outcomes, but the department continues to do the work to have good outcomes for, as we said, some of the most vulnerable members of our community. What does the opposition think should happen? It thinks that the government should interfere in police operations. It thinks the government should support people taking it upon themselves to take away very private and sensitive information about children in care and that we should not tell the police, and, if we do tell the police, we should tell them how to do their job. That is what the opposition says should happen. This is a lazy opposition. It is a negative and divisive opposition. I am very proud to be part of a government that is taking up the hard issues to deliver reform and change for some of the most vulnerable families and communities in our state, and I support the Department of Communities and its work.

*Division*

Question put and a division taken, the Acting Speaker (Ms A.E. Kent) casting her vote with the noes, with the following result —

Ayes (6)

Mr V.A. Catania  
Ms M.J. Davies

Dr D.J. Honey  
Mr R.S. Love

Ms L. Mettam  
Mr P.J. Rundle (*Teller*)

Noes (46)

Mr S.N. Aubrey  
Mr G. Baker  
Ms L.L. Baker  
Ms H.M. Beazley  
Dr A.D. Buti  
Mr J.N. Carey  
Mrs R.M.J. Clarke  
Ms C.M. Collins  
Mr R.H. Cook  
Mr M.J. Folkard  
Ms E.L. Hamilton  
Ms M.J. Hammat

Ms J.L. Hanns  
Mr T.J. Healy  
Mr M. Hughes  
Mr W.J. Johnston  
Mr H.T. Jones  
Mr D.J. Kelly  
Ms E.J. Kelsbie  
Ms A.E. Kent  
Dr J. Krishnan  
Mr M. McGowan  
Ms S.F. McGurk  
Mr D.R. Michael

Mr K.J.J. Michel  
Mr S.A. Millman  
Mr Y. Mubarakai  
Mrs L.M. O'Malley  
Mr P. Papalia  
Mr S.J. Price  
Mr D.T. Punch  
Mr J.R. Quigley  
Ms M.M. Quirk  
Ms R. Saffioti  
Ms A. Sanderson  
Mr D.A.E. Scaife

Ms J.J. Shaw  
Mrs J.M.C. Stojkovski  
Dr K. Stratton  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Ms C.M. Tonkin  
Mr R.R. Whitby  
Ms S.E. Winton  
Ms C.M. Rowe (*Teller*)

Question thus negatived.