

SCHOOL BOARDING FACILITIES LEGISLATION AMENDMENT AND REPEAL BILL 2016

Second Reading

Resumed from 20 October.

DR A.D. BUTI (Armadale) [12.23 pm]: I feel that there are more important, significant events happening in the world at the moment, but, of course, we have to deal with the ordinary processes of government and the ordinary processes of Parliament. I have to say that regardless of whether there is a President Trump and regardless of what sort of president he ends up being, the fact that he was elected President would cause me great concern. I hope that in Australia we would never, ever be in a position in which we would elect someone of that character.

I move on to something completely different—the School Boarding Facilities Legislation Amendment and Repeal Bill 2016. This opposition supports this bill. It abolishes the Country High School Hostels Authority by repealing the act that established it. It inserts new provisions that relate to the functions and governance of country high school hostels in the School Education Act 1999. The Country High School Hostels Authority currently provides boarding facilities for students at a number of schools in eight regional centres, and there is also a hostel in City Beach for regional students who attend Perth Modern School. Most of the students who attend these hostels are public secondary school students. However, I believe there is a service agreement with the Catholic Education Office for a number of the beds at these hostels to accommodate students in Catholic-run schools.

From what I understand, the main genesis of this bill comes out of the Blaxell inquiry. As we know, the government tabled the Blaxell inquiry report in 2012: “St Andrew’s Hostel Katanning: How the system and society failed our children: A special inquiry into the response of government agencies and officials to allegations of sexual abuse”. At the time, we applauded the government for setting up the inquiry. I also want to acknowledge the member for Albany’s advocacy in pushing for an inquiry for a number of victims who attended St Andrew’s Hostel and had approached the member for Albany. The member for Maylands will also make a contribution to the debate on some issues that have come out as a result of the Blaxell inquiry. Blaxell made a number of findings of abusive staff, poor governance and a lack of training of board members at St Andrew’s Hostel in Katanning. That contributed to the systemic abuse of students by the McKenna brothers, Dennis and Neil. The hostel closed in 2009. The Blaxell inquiry found that there was systemic abuse of students but there was also poor governance and training of the Country High School Hostels Authority board members. It also found that attention needed to be paid to other hostels, including the hostel in Northam, I think, and also South Hedland where there were a number of issues. The report made a number of recommendations to improve staff selection and training, board training and other matters. In the inquiry, Blaxell himself did not go to the extent of recommending the abolition of the authority that governs country high school hostels. However, the government nonetheless saw fit to abolish it, and I think that was a sensible measure, as well as now bringing it within the governance of the Department of Education. The bill before us is consistent with Blaxell’s recommendations to ensure that the Department of Education has greater scrutiny over and accountability for the running of these hostels that are, in effect, accommodation centres that allow students from regional centres to receive a secondary education—whether it is in a country setting or at Perth Modern.

The bill also amends part 6 of the School Education Act 1999, which deals with the administration of schools. A new part 6A will provide for the establishment and administration of residential colleges, and wide regulations for making powers about boarding agreements, fees and charges, health and safety of students, dispute and complaint resolution, application processes, use of facilities, powers to exercise the investigation of complaints, advertising or sponsorship, and a code of conduct for students. It will also establish local input networking and communication committees at each residential college as consultative but not decision-making bodies. These committees will be appointed by the director general of the Department of Education. I think that is a sensible move. The majority of these committees must be made up of parents and people from the general community. New part 6A will also deal with issues about land and finances on behalf of the minister to come under the control of the department.

The bill also provides for the removal of residential college staff due to misconduct, which will bring it into line with the legislation that applies to school staff. There are also some transitional provisions for entitlements and so forth because the staff now come under a new employer, the Department of Education. It is a very sensible move that ensures that hostels come under the closer scrutiny of the department and the minister. If we look at what happened in Katanning, it has to be considered a very sensible and the only appropriate response.

In the consideration in detail stage we will look in detail at the various provisions, but, as I stated, the catalyst for this bill was the Blaxell report. The member for Albany has just arrived in the house. His advocacy in the establishment of that inquiry after he was approached by a number of victims from the hostel is to be very much commended. I want to read out parts of the inquiry report because it sets up the reason that we now have this bill before this house that has been introduced by the government and strongly supported by the opposition. The introduction of the inquiry report by Hon Peter Blaxell states —

Until 2009, the St Andrew's Hostel at Katanning offered residential care to students from outlying areas who were attending the Katanning Senior High School. The Hostel opened in 1964 and with increasing student numbers, Katanning soon became "a booming, busy town with parents from the surrounding areas who had kids at the hostel coming into town on Fridays and Mondays to collect and drop off their children."

Between 1975 and 1990 the warden of the Hostel was Dennis John McKenna ... and for the last five years of that period, the senior male supervisor was his brother Neil Vincent McKenna ...

These two men held very high level responsibilities for the wellbeing of the students who were entrusted to their care. However, they each breached those responsibilities as well as the trust placed in them by parents, by committing serious offences of sexual abuse against some students.

In that regard, Dennis was convicted of a total of 29 offences of a serious sexual nature committed on 11 male students between 1977 and 1990. In 2012, Neil was convicted of three offences committed on a female student in 1991. Dennis was first convicted of 19 offences following a District Court trial in 1991, and it was not until 2011 when he pleaded guilty to a further 10 offences that the full picture started to emerge.

Following Dennis' pleas of "guilty" in August 2011 there was extensive media coverage which raised the question of why his vast offending had been able to continue for a lengthy period. Questions were asked in Parliament, and a number of concerned people came forward to allege that certain public officials had been made aware of the suspected criminal behaviour by Dennis at various times during the 15 year period it was occurring.

Consequently, the Premier, the Hon. Colin Barnett MLA directed the Public Sector Commissioner to arrange for a Special Inquiry under s.24H(2) of the *Public Sector Management Act 1994* ... This in turn resulted in my —

That is, Peter Blaxell —

appointment on 22 November 2011 as Special Inquirer to conduct an Inquiry into "the response of government agencies and officials in regard to allegations of sexual abuse at St Andrew's Hostel in Katanning".

His terms of reference were as follows —

1. *Examine when any allegations were made, who they were made to, what action was taken in response to those allegations, and the appropriateness of any action taken.*
2. *Consider any evidence of allegations of sexual abuse by any person at or connected with the hostel or related organisations.*
3. *Report with:*
 - *Findings about why the behaviour of staff the subject of allegations at St Andrews Hostel was able to continue for an extended period; and*
 - *Recommendations on:*
 - *any disciplinary action that should be taken against any public official as a consequence of the findings; and*
 - *any changes that should be made to the policies, procedures or operations of relevant government agencies as a consequence of the findings.*

Any issues which go to criminal behaviour that arise in the course of the inquiry will be referred to the WA Police.

That is the genesis of the inquiry. I presume that the member for Eyre has spoken to some of these victims that led to his private members' bill; is that right?

Dr G.G. Jacobs: Yes, six families with six schools and now women who were abused in an outlying school.

Dr A.D. BUTI: That is why we should remember the bill brought by the member for Eyre. That bill deals with civil matters. Obviously, there is no limitation period on criminal matters. One can always bring a criminal conviction. The issue is whether there is a time limitation with civil liability and the ability to be awarded compensation.

That was the ambit and the genesis of the Blaxell inquiry. It is a very good report and chapter 5 provides a background history of the establishment of country high school hostels and the authority that had responsibility for controlling them, which unfortunately then led to the employment of Dennis McKenna and family members. There is no doubt that we had a breakdown in governance and a breakdown of the proper scrutiny that should

always be applied when dealing with children, especially in an accommodation setting where there are adults in charge of their wellbeing. Chapter 5 of the Blaxell inquiry report states —

For many years some country senior high schools in Western Australia have benefited from an associated hostel which accommodates students who ordinarily live too far from the school for daily travel.

That is true. Due to the vast distances that we have to travel, we need the accommodation option. A number of private schools in Perth have boarding facilities but in the country public high schools there was no boarding scenario and that is why these country high school hostels were established. The Country High School Hostels Authority Act 1960 was created to establish the authority. The report states —

The Authority had the statutory duty of providing hostel accommodation for isolated students enrolled in secondary schools throughout Western Australia.

Over the decade which followed there was an uneasy relationship between the Authority and the various bodies which had been operating the existing hostels. However in return for the funding of much needed facilities at these hostels the Authority gradually gained control until it was responsible for the operation of all country hostels associated with state government high schools.

By the end of the 1970s the management of each of these hostels was subject to a “letter of arrangement” with the Authority. This letter specified the responsibilities of each local board in the day-to-day management of its hostel but also recognised that the Authority had ultimate control.

In this regard the CHSHA Act conferred on the Authority the power to appoint a local committee ... in respect of any hostel and to delegate to that committee all or any of its powers. In the event of any such delegation of powers the local board was able to exercise those powers as if they had been directly conferred by the Act.

The red flag should have gone up then. Although it is good to have local control, authority was delegated for the care and protection of these schoolchildren to a local group, which, of course, is commendable, but we have to have proper oversight. Of course, that failed terribly, with disastrous consequences at St Andrew’s Hostel in Katanning, because it led to the employment of Dennis McKenna, who was appointed as a warden, and then it led to the appointment of other members of the McKenna family. In regard to Dennis McKenna’s accommodation arrangements, the report states —

Prior to his appointment as warden McKenna occupied the quarters which had always been set aside for the “housemaster” supervising the boys’ dormitory. These quarters were a small flat comprising a lounge-dining area, bedroom and bathroom, situated off the corridor which led to the boys’ dormitory.

Significantly, at the end of the corridor which was furthest from the boys’ dormitory there were doors separating the rest of the hostel which were always locked at night. What this meant was that McKenna was locked into the same area as the hostel boys overnight, and no other person could gain entry without him unlocking the doors.

As warden, McKenna was entitled to occupy a house separate from the main buildings which had been specially set aside for the person who held that position. However, McKenna elected to stay in his small flat adjacent to the boys’ dormitory and he remained in those quarters until his arrest in 1990.

It is just terrible to believe that he held such a position of power and was able to abuse these children due to the physical situation that he set himself up in. It is just unbelievable.

We then had the Blaxell inquiry recommendations. Blaxell states in his report —

Under my Terms of Reference, I am asked to recommend any changes to the current policies, procedures and operations of government agencies which might be desirable as a consequence of my findings. In considering this aspect of the Inquiry, I have consulted with relevant and affected agencies and individuals, and have also sought submissions from other experts in particular fields. Although I am not making a large number of recommendations, I believe the adoption of those listed below will ensure that the public sector continues to evolve and operate with primary consideration being given to children and their protection. I therefore recommend and detail below:

- A robust child focussed complaints system for the Country High School Hostels Authority ...
- The development of a central child focused complaints function to encourage and protect disclosure.
- The inclusion of hostel staff employed by the Authority as legislated mandatory reporters.
- A review of the Department of Education’s preventative curriculum.
- The expansion of training for Authority hostel board members.

I think the government in drafting this bill has listened to the inquiry recommendations, except for the recommendation about the one-stop shop complaints model, and Blaxell refers to this. I am sure the member for Maylands, Chair of the Joint Standing Committee on the Commissioner for Children and Young People, will talk about the committee's report, "Everybody's Business: An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse". The committee interviewed Hon Peter Blaxell, so I might leave that to my friend and colleague the member for Maylands to talk about. It would have been nice if that area had been somehow incorporated into this legislation before the house. As I stated before, even though Hon Peter Blaxell did not go as far as recommending the abolition of the Country High School Hostels Authority, the intent behind his recommendations comes out through the bill before the house, and that is why we are supporting it.

The Department of Education will have the statutory responsibility and authority to ensure the proper protection and care and welfare of children who have to move away from home to be housed in hostels, and that has to be commended. That is the statutory framework and that is all we can do in this Parliament. Of course, it then has to be put into operation. Often we can have the greatest of intentions and draft very good legislation, but then it comes down to human beings to ensure that it is properly operational. To go with that proper operation, there has to be proper resourcing. If additional resources have to be provided to the Department of Education to ensure that we never again have a repeat of what happened at St Andrew's Hostel, we would applaud that. We say that there is no excuse for not ensuring that appropriate resources and governance structures are available. We can never guarantee anything, obviously. Humans are humans, as we are about to find out with the result of the US presidential election. However, we have to do what we can to ensure that we increase the chances of never repeating what happened at St Andrew's Hostel and that we put in place a proper system that will protect children who have moved away from home to receive an education. Children will not receive an appropriate education if they cannot be protected in accommodation that is provided by the state. The state is providing this accommodation; therefore, the state is responsible for ensuring that these children are protected.

I do not intend to talk only for the sake of talking. Two of my colleagues will also be speaking. We will consider various clauses when we are at the consideration in detail stage.

MS L.L. BAKER (Maylands) [12.46 pm]: I am aware that I am in the chair at one o'clock, so I will keep my comments fairly short. I am really keen to welcome the School Boarding Facilities Legislation Amendment and Repeal Bill 2016 into the house. It has been a long time coming and very valuable work has indeed been done to get it to Parliament. Members have heard my colleagues speak in some detail about the report, "St Andrew's Hostel Katanning: How the system and society failed our children". In many ways that report was the mover and driver behind this bill. It was essential that we had a close look at how our country hostels are working and how school boarding facilities are being run in this state.

It is safe to say that some amazing work has been done by the Department of Education since Hon Peter Blaxell put out his report. The department responded very quickly to the incredibly serious nature of what had happened over a more than 20-year period in Katanning. It is a time in history that we all look upon in dismay when so many people were ignored as they were being abused. Many young children sought help from adults and were turned away and, more fiercely than just turned away, returned to their abusers to continue in that intolerable situation.

In recent years, the Royal Commission into Institutional Responses to Child Sexual Abuse has started its valuable work. I think it is safe to say that when it started its work, the general population was not aware that the work would not go for only one or two years and that it was highly likely that this topic would need to be looked at, unpicked and examined from many places. The commission will need to pull in as many of the people who want to speak as it possibly can, and that might take years to come to fruition. I have learnt much about this area from my role as Chair of the Joint Standing Committee on the Commissioner for Children and Young People. Indeed, this week we will table our last report while I am in that role, which is a general report—the annual report that committees must make. I will speak in more detail about this subject on Thursday. Given that in the 1970s and 1980s children were being abused, Peter Blaxell said the question that obviously arises is: how do we know that we are now doing anything better and that we are listening to children better? I think, for many of us, that question is at the heart of this matter. Some wonderful changes have been made due to Peter Blaxell's work and recommendations and, indeed, because the government adopted all Blaxell's recommendations, albeit more recently it chose not to implement all of them. I understand to some degree why the Premier withdrew from the commitment to the one-stop shop, which Peter Blaxell pointed to the Commissioner for Children and Young People to commence. I think one of the worst things we can possibly do is delay implementation of his recommendations any further or delay any improvements to the child protection system while we wait for the outcome of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Mr C.J. Barnett: The overwhelming advice was that that would result in less reporting.

Ms L.L. BAKER: The bill would result in less reporting?

Mr C.J. Barnett: No; the Blaxell recommendation for a one-stop shop—that is, the children’s commissioner. All the agencies viewed that it would result in less reporting of the abuse of children. That is why we didn’t proceed with it.

Ms L.L. BAKER: I totally agree with that. Having spent a significant amount of Parliament’s and taxpayers’ resources looking into how that might happen, if it should happen, I can certainly say I agree with the decision not to go ahead and get the commissioner’s office to be a one-stop shop. It follows work in this area being done in other countries as well, but in trying to improve the child protection system, someone has to be there for children. This is what Peter Blaxell was very passionate about and it is still the issue. No-one in our system at the moment is the one voice for the child on the journey of reporting sexual abuse. The issue for me is that we still do not know whether we are doing a lot better in this. Peter Blaxell has acknowledged the good work the police have done in improving processes. The ChildFIRST centre is amazing. I have mentioned several times in this house that the George Jones Child Advocacy Centre is an outstanding model and should have been supported from day one by the government. It took a very long time to get the government over the line to encourage police to be part of the George Jones advocacy centre. The police are involved at the moment but very few resources are being directed there by the government. A child-focused advocacy centre is a good model to have.

People often do not report abuse when they are children; they often report as adults, so it is perhaps a different scenario when an adult comes forward to report something retrospectively. If through mandatory reporting or any other system in place, a child is brave enough to make comments, sometimes that is just the start of a very, very appallingly bad journey through a very complicated system. We have not solved that yet. We cannot say to a child that we believe them entirely when they come forward. We do not allow a child to say, “The one person I disclose to is the person I will be with for the whole of this journey and I will not have to repeat this story a number of times.” The immeasurable suffering a child has to go through from having to retell their story to different people cannot be understated.

The Commissioner for Children and Young People’s report into the child protection system, in which he speaks out to raise the concerns of children in care, was the culmination of a partnership between the children’s commissioner, the Department for Child Protection and Family Support, and the CREATE Foundation. It aimed to provide children and young people in care with a voice and to improve the state’s child protection system. The study found from children who spoke to the commissioner that they did not feel they were believed. I understand that human nature is human nature. Not all children in care are squeaky clean and some children in care have been in the system for a while and they know how to work the system, so, obviously, checks and balances within the system must be in place forever. However, when a child says that they do not feel they have strong positive relationships with caseworkers and carers or feels they are not believed when they come forward and make comments, it is enough to warrant concern and to encourage the government to move forward as quickly as possible with reforms. I know that the Department for Child Protection and Family Support is currently looking to improve the child protection system. The director general has some good ideas for that, but one of the other aspects that has not been fully implemented across our child protection system is a therapeutic model that understands and responds to the nature of trauma in this area. I remember a number of men who had been abused in the Katanning catastrophe coming here accompanied by the member for Albany. They revealed that the level of trauma experienced by someone who comes forward and discloses, even late in life, is extraordinary. A trauma-informed practice would accept at the very outset that people should be believed when they disclose a problem at any level. A trauma-informed practice must work at every level of our child protection system.

Noting the time, in finishing my comments on the School Boarding Facilities Legislation Amendment and Repeal Bill 2016, I am very pleased that yesterday the government tabled its response to “Everyone’s Business”, which was the Joint Standing Committee on the Commissioner for Children and Young People’s seventh report. I am very pleased the government tabled its response and I will talk about it again tomorrow. I am very pleased that my committee’s recommendations on how the child protection system could be improved have been accepted and that the director general of Education, in particular, has accepted wholeheartedly our recommendation to her about protective behaviours in schools needing to be far better monitored, far better policed and far better followed up. I am delighted to see that and it holds some encouragement for me that things may change.

I will talk about other things tomorrow, but, in concluding, anything that helps to keep children safe, that increases our ability to protect children and that makes easier their journey through what is already an incredibly complex matrix, the child protection system, is to be applauded. To that end, I congratulate the government on getting the School Boarding Facilities Legislation Amendment and Repeal Bill into the house and I hope to see its speedy passage.

MR P.B. WATSON (Albany) [12.58 pm]: It gives me great pleasure today to speak to the School Boarding Facilities Legislation Amendment and Repeal Bill 2016. Firstly, I congratulate the government on the Blaxell inquiry and on bringing in this bill. Let us consider people living in the regions: children who live on farms,

some as young as 11 just turning 12, leave their homes and go to a boarding college. It is a very big issue for not only the parents but also the children. Young 11-year-olds are in the same facility as 16 and 17-year-olds. Before the Blaxell inquiry, parents were worried about the influence that the older children would have on younger children. We all know the circumstances that led to the Blaxell inquiry, and it was not the older children we had to worry about; it was the person in charge of the facility. It is good to see that changes have been made. I reiterate that children who go to these boarding schools are between 12 and 17 years of age, and parents hand them over to a government facility, hoping everything will be okay. Unfortunately, this was not the case at St Andrew's Hostel, Katanning. I know of one instance in which a parent knew what was going on, but was scared of McKenna, who threatened him with taking his farm from him and turning the whole town against him if he said anything. That poor gentleman has suffered and will suffer over that for the rest of his life, and he wishes he had made changes. It has split his family down the middle. These things occurred because no proper procedure was in place.

I am interested that the facilities will have a local board, but those boards probably will not have as much power or control as they had before and they will more or less report to the minister. The boards will not have anything to do with finance, and rather than ask this in consideration in detail, can the Premier advise whether the manager will do this or whether it will be done from Perth.

Mr C.J. Barnett: The board is a local committee and will not have any role in finance, but the manager will be a direct employee of the Department of Education and will be subject to the input of district officers, district directors and so on. I think all those checks and balances should be in place.

Mr P.B. WATSON: I notice the code of conduct. I have recently been to the Albany facility, which has had a few issues with young people—or one that I know of. In an environment such as that, young people have many different things to deal with, especially when they are away from home. The legislation provides that the code of conduct will be worked out by the department, with local input. As I said, these young people go into town on the weekend and face all the difficulties that other young people do, and I wonder whether staff are trained to watch out for drug-taking and other incidents such as that which happened at Katanning. Are staff trained to look for those sorts of things or do we find out afterwards?

Mr C.J. Barnett: I am sure that will happen post-Blaxell, but one other reason for bringing the hostels under the Department of Education is so that a principal, typically of a senior high school, will have greater input. I know that when I was education minister there were concerns. Katanning had a bad reputation, but no-one was really saying anything about it. I think the school principal will now have a greater say in identifying kids with problems or kids who may have been abused, or whatever it might be. I think that strengthens the management of the children.

Mr P.B. WATSON: We are lucky in Albany because Albany Senior High School is right next door to the boarding facility, but it also accommodates children from St Joseph's College, North Albany Senior High School and some of the other schools. It is good that there will be an overarching structure. When we were young we did not have to face the sorts of issues that children have now, but children at these facilities do not have parental control. As I said, 12-year-olds are coming into this environment from up to 200 kilometres away. I have listened to prefects giving their speeches at school functions and saying that when they first came to high school, they did not know this or that or whom to talk to about the things that happened when they first arrived. Some kids are little or skinny, as I used to be at school, and people pick on them. They go through all these things but they cannot go home at night and say to mum and dad that someone is picking on them or bullying them. We need to provide them with the proper support. I know that the Albany facility has tremendous staff who are really dedicated, but this legislation covers the whole of Western Australia and I hope that other areas have the same support, because nothing will be worse for a young child than crying in his bed at night with no-one to talk to because we have not provided that facility.

I do not want to talk too much as I want to ask questions in consideration in detail. My main points are whether the staff have been trained properly and whether there is communication between the manager and the board, which is very important. Even though the board does not have much power, I know that really good people in the community have been on the boards over the years and they are there for the kids. Blaxell recommended a one-stop shop for reporting abuse. I remember talking to Mr Blaxell when I was giving evidence to the inquiry. He said that one-stop reporting was very important, but the Premier explained today in response to a question from the member for Maylands that it causes too much paperwork.

Mr C.J. Barnett: The reason we did not proceed with that recommendation was that the advice that came to us was that the number of reports from adults or even children coming forward with cases of abuse, particularly sexual abuse, had dropped. Traditionally, they would go to police, a school principal or the doctor on a health issue, and, really, the awareness of the Commissioner for Children and Young People is not that high. That was the consideration. The consistent advice from all agencies was that reporting of incidents would fall, which is not what anyone wants. That is why we did not go down that path.

Mr P.B. WATSON: When a family brings a child to hospital will they be advised of the processes they can go through?

Mr C.J. Barnett: There are mandatory reporting requirements. I think that development is there. Going back to the member's earlier question, I have been advised that professional training is provided to staff in hostels, and also a school psychologist is allocated to assist each residential college. They are post-Blaxell changes.

Mr P.B. WATSON: I want to ask some questions in consideration in detail. I once again congratulate the government for bringing in this bill and the Premier for the Blaxell report. I fully support this bill.

MR C.J. BARNETT (Cottesloe — Premier) [1.07 pm] — in reply: I appreciate the support of each of the three members opposite on the issues canvassed. I take note that there are still deficiencies in reporting the abuse of children, particularly sexual abuse. I have confidence in the Department of Education and that it will be able to run the hostels. It is one of those dilemmas in public administration: we all like to think that the decision-making should be devolved as locally as possible, whether it be in country areas or in suburban Perth, but often a consequence of devolving responsibility and giving autonomy is that, by definition, we lose supervision. That is clearly what happened. I remember during my time as education minister that rumours were circulating, and there was also tension between the hostels authority and the administration of individual hostels. In many cases the school principals were isolated, whereas it always seemed to me that they should have a greater role. This will bring closer together the hostels and schools in their overall management of children's care and support. It was an exercise that was borne out of history when the hostels were sometimes church run or run by the Country Women's Association. However, increasingly, governments of the day started to fund them, so they took control, but it failed these young children in hostels. It is good that this change has been made, and I have confidence that the Department of Education will run them in a far better way and look after the children.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.

Consideration in Detail

Clauses 1 and 2 put and passed.

Clause 3: Country High School Hostels Authority Act 1960 repealed —

Dr A.D. BUTI: I am sure the Premier has an answer to this question and it will be in the bill, but I have not been able to find it. Clause 3 repeals the Country High School Hostels Authority Act 1960. Does that mean as soon as it is repealed, which is at the time of the enactment of this bill, in the next breath the Department of Education will take over the responsibility and authority?

Mr C.J. BARNETT: At the moment, the director general of Education Sharyn O'Neill is also the acting chief executive officer of the Country High School Hostels Authority; in effect, it is run by the Department of Education. The instant this bill receives royal assent the Country High School Hostels Authority will no longer exist. In fact, it does not really exist today in a practical form, and the amendments to the School Education Act 1999 will ensure that the powers in this bill for the Department of Education to establish and run hostels will be created automatically. That will be quite seamless.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Long title amended —

Dr A.D. BUTI: This clause inserts another dot point in the long title of the bill, which states —

- **for the establishment and administration of student residential colleges; ...**

That, of course, is what this bill is about and "establishment" and "administration" is understandable, but I wonder why we did not add that one purpose of this bill is to ensure that hostels are under the statutory authority of the Department of Education so that students' welfare and protection are catered for properly. Why does the clause not say, "for the establishment, administration and care and welfare of students at residential colleges"?

Mr C.J. BARNETT: I suppose it could have, but at the moment the School Education Act does not include the power to establish and run residential colleges. If the hostels authority is abolished we have to give a head of power to the education department under the School Education Act 1999. I do not know whether it would be normal to have an expression of child protection, which I do not disagree with, in this clause, which outlines the broad categories of the School Education Act. My advice is that it is in the body of the bill under the clause dealing with the minister's responsibilities.

Clause put and passed.

Clause 7: Section 3 amended —

Dr A.D. BUTI: This clause inserts proposed section 3(1)(c), which states —

- (e) to provide for student residential colleges that offer residential accommodation for students to attend, and participate in an educational programme of, a school.

We are dealing with secondary high schools. Is there an age limit for people to attend high school? I went to Kelmscott Senior High School many moons ago and mature age students who were 30 to 40 years old were being educated there; now they generally go to Canning College. Is there anything preventing mature age people going to a high school for education; and, if not, what if they wanted to be accommodated in a hostel?

Mr C.J. BARNETT: Any mature adult doing their secondary graduation would go to those senior colleges. I do not know whether external studies allow it or are established by the Department of Education. I do not know that this bill lays down a maximum age, but in practical terms, older people would not be in a student hostel.

Dr A.D. Buti: I was concerned about that.

Mr C.J. BARNETT: I am advised that the regulations will detail that. I do not know what is in mind, but I imagine they would not have anyone above 18 years old. There will be some 18 year olds doing year 12, which is fine, but my view is that they would not go beyond that age.

Clause put and passed.

Clause 8: Section 4 amended —

Dr A.D. BUTI: Clause 8 amends section 4 of the act so that “student residential college” has the meaning given in proposed section 213A. Under proposed section 213A, “Terms used” —

student residential college means a student residential college established under section 213B;

Proposed section 213B, “Establishing student residential colleges”, states that the staff may establish the residential college, but it does not provide a definition of a residential college. It is supposed to be a definition!

Mr C.J. BARNETT: I am advised that is basically the way the education act is framed. For example, the definition of a school is a school, and the definition of a school residential college is a school residential college.

Dr A.D. Buti: A slice of bread is a slice of bread is a slice of bread.

Mr C.J. BARNETT: Yes, I think so. There may be an issue if a residential college was to get into other sorts of activities, such as day care or whatever else, but we all know what we are talking about.

Clause put and passed.

Clauses 9 and 10 put and passed.

Clause 11: Part 6A inserted —

Dr A.D. BUTI: This clause inserts new part 6A. I commence by referring to proposed new section 213A, “Terms used” and the local input networking and communications committees, which are the local governing boards. Proposed section 213A states —

... in relation to a student residential college, means the committee constituted for that college under section 213M;

How would the minister ensure that these committees are made up of people of good character? Anyway, it is a silly question, and I understand that, but it is a very important question. There is nothing in the legislation about particular requirements or qualifications. All we know is that more parents than community members will be involved. I am wondering how we are going to ensure that the quality of these committees is what we require.

Mr C.J. BARNETT: As we discussed earlier, the committees are purely advisory. They do not have direct control over staffing or finances, and that is obviously the difference. The previous local boards clearly had authority, and that led to neglect and/or abuse. The appointments would be made through the director general of Education. There is a process that would be discussed with local government, and school principals would certainly be involved, and maybe even local police, if there are any questions. There is always a risk, but these advisory groups would not have direct access to children. One of the issues at Katanning was that board members were getting very much involved in the day-to-day running of the hostel, staffing and all sorts of things. That is a continuing dilemma. I remember, when I was Minister for Education and Cheryl Gardner was the director general, in one of the first conversations I had with her she made the point to me that people who are inclined to be paedophiles, even if they have not acted in that way, will tend, almost subconsciously, to pursue careers or activities that bring them into contact with children. She made the point that any sporting organisations can be vulnerable, and schools can be vulnerable through people pursuing careers in education, and even health workers. That is something that I do not think was widely recognised. I certainly was not aware of how strong that force could be, until the then director general spoke to me about some of the issues. This, I think,

is an example. People can be drawn into those sorts of jobs or volunteering roles that bring them into contact with children.

Dr A.D. Buti: By way of interjection, Premier, based on the discussion we had last night on the other bill, these are advisory committees, so they will not be remunerated, will they?

Mr C.J. BARNETT: No.

Mr P.B. WATSON: Proposed section 213J(3), in referring to the code of conduct for students, states that such a code of conduct may —

- (b) set general principles to guide the behaviour of students at student residential colleges; and
- (c) make specific provision in respect of a particular student residential college.

Not all colleges are the same. Some are in the metropolitan area, some are in regional areas and some are in the north. When they produce their standard code of conduct, will it be a basic one for the whole state with inclusions relevant to some areas where there are difficulties?

Mr C.J. BARNETT: The code of conduct relates to students and, as was said earlier, not all students are angels. In my view, it shifts a bit of responsibility back onto parents. Students going to these residential colleges will have to—“fit in” is not the right phrase—be responsible and behave in a proper way. That has become a bit challenging now, it is true. Now that year 7 is in high school, we will see younger students going into residential colleges. I think that, post-Blaxell, and there are probably other factors involved, not least the cost of private education in Perth, the residential colleges have been generally upgraded, and there has been some expansion. They are pretty well full now. They are working, and I think there will be a further phenomenon down the track relating to district high schools, some of which struggle in terms of numbers of students and providing an in-depth or broad enough curriculum. I suspect, over time, as country senior high schools are improved, we will probably get more students going into residential accommodation at senior high schools, perhaps with parents making a choice in preference to the district high school. That will create a lot of issues for country people.

Mr P.B. Watson: Can I just interject? What I want to know is: the code of conduct will probably be a standard one, but, in specific areas where there are different circumstances, will it be changed?

Mr C.J. BARNETT: I would hope so. I think the code of conduct would be a fairly general statement of principles and behaviour, and I would think the local advisory group, the head of the residential college and maybe the school principal would be able to have some flexibility within that. If it is too restrictive, it will not work. It will set down principles of behaviour and, I think, put some responsibility on parents.

Mr P.B. Watson: I think you've got to have that flexibility.

Mr C.J. BARNETT: I agree with that, but it is also a good message to parents and students. It gives these residential colleges perhaps a little element of the authority that, maybe, boarding houses at Perth private schools have. Ultimately, there are disciplinary procedures, or a student can be expelled.

Dr A.D. BUTI: Can I take the Premier back to proposed section 213B? It is about the minister establishing the student residential colleges, and participation in an educational program. Is any consideration given to students doing part-time study? For instance, in years 11 and 12, will they still be allowed to reside in the residential college? What if they are suspended for a lengthy period of time? Can they still remain in the residential college until they can return to school?

Mr C.J. BARNETT: A student could still reside in a college if they are studying part-time, as long as anything else they are doing is part of an educational program. If a student is, for example, doing years 11 and 12 part-time while working, they would not be allowed to live in a residential college. They might be doing a TAFE course or something like that.

Dr A.D. Buti: That would be by way of agreement wouldn't it?

Mr C.J. BARNETT: Yes, and obviously the member for Albany knows better than I do, but Albany has students from St Joseph's Catholic school. That was a change that happened quite a few years ago, and St Joseph's actually invested in expanding its facilities too, so that is a good arrangement. That is a bit of a different role for the Department of Education, because it is now involved in working with non-government schools to provide residential accommodation, which is good, but it is a different field.

Dr A.D. BUTI: Proposed section 213B(2) states —

The Minister, in considering if it is necessary to establish a student residential college, is to take into account the following —

- (a) the social, cultural, lingual, economic or geographic factors that might affect access to school education for particular students;
- (b) any other matter prescribed by the regulations.

Nothing in the bill before us excludes the government from the operation of the Equal Opportunity Act, the Racial Discrimination Act or the Disability Discrimination Act, which I imagine at times will create an issue, because of the resources needed to accommodate a student with a disability, or a student from a culturally and linguistically diverse background. I am just wondering what we are going to do.

Mr C.J. BARNETT: I am advised that students with disabilities are residing in residential colleges now, so they would get the normal disability support, depending on their condition. That is just a reality. Schools deal with all of those factors, and residential colleges will have to mirror that, as they do now. It is very clear that this strengthens the nexus between residential accommodation and education programs, and I think that is desirable. I would think a major decision would be the viability of the residential college. It is a local decision in building, expanding or refurbishing. Will the numbers be there, and will it be viable? I would be surprised if further residential colleges are not built in country Western Australia, probably mainly in regional centres but perhaps also in the smaller centres.

Mr P.B. WATSON: Will all these colleges have the walkways and things for wheelchairs?

Ms M.M. Quirk: Disability access.

Mr P.B. WATSON: Yes.

Mr C.J. BARNETT: Look certainly, any —

Mr P.B. Watson: I am just trying to think of Albany. I do not think there is.

Mr C.J. BARNETT: Albany is on a sort of a precipice, is it not; a slope?

Any new one certainly would and I would imagine any refurbishment would do that. I would be surprised if there is not disabled access into residential colleges and I think if there is not, it should be fixed, so if the member is aware of one, he should let me or the minister know.

Dr A.D. BUTI: In regard to the provision of services or who will be engaged to manage the hostel, there is nothing in this act preventing that being sourced out to a private organisation.

Mr C.J. BARNETT: There is nothing to prevent that, that is true, and I guess a not-for-profit organisation could arguably run residential accommodation. The point being made to me by my adviser is that there is no plan to do that, but the minister has to be responsible, with the director general, for ensuring the standard of care. That is possible, but I think successive Ministers for Child Protection have been very cautious about outsourcing child protection for pretty obvious reasons. There is, if you like, a lot of outsourcing in all sorts of areas of disability and welfare policy; I think everyone just slows down when they get to child protection. In theory, there is no reason that could not happen, but, again, I would stress that there are no plans, or I have heard of no intention, to do that.

Dr A.D. Buti: Even if that is done, the minister will still retain responsibility.

Mr C.J. BARNETT: Yes. I think most people would take a fair degree of comfort—I would—in knowing that the heads of these hostels are going to be education department employees. Obviously with regard to recruiting, whether they are former teachers or not, it is possible, but people will probably be recruited who have had to pass all the checks and balances. It might be the sort of role that a former teacher might aspire to. They might quite enjoy it; it is a different role.

Dr A.D. BUTI: I refer to proposed section 213C “Closing or amalgamating student residential colleges”. That will probably happen at some stage in some area. Within that proposed section, I would have liked there to be some wording in regard to the prescribed minimum notification period that has to be given to the student and their parents. I know that in normal circumstances there will be considerable leeway, but I will mention a situation in the western suburbs—it was not in education, it was private accommodation for adults with disabilities. They were given two or three weeks’ notice that they had to vacate that accommodation, and I am just a bit concerned that there is nothing prescribed in legislation about the notice period.

Mr C.J. BARNETT: With respect of the closure of schools, there is a requirement along the lines the member was talking about. There is not one related to this, but I would be very surprised if there was not adequate notice given if that situation arose. It is more likely to be an amalgamation than a closure, if there are two colleges relatively close together. I cannot think of an actual example, but if there were two relatively small or under-utilised colleges, there may be a strong economic argument to perhaps bulldoze them both, if they are old, and build something new, hopefully in the middle. There is no specific requirement, but, again, the director

general now has authority and there would not be a spur-of-the-moment reaction or decision; it would be very carefully considered, as is, at a school level, going on with Yarloop at the moment. That is about to reopen.

Dr A.D. BUTI: In regard to the possible amalgamation, it is not in legislation and I do not expect it to be, but is there any policy in the department about what is considered to be a desirable maximum number of students in any particular hostel, and also staff-to-student ratios?

Mr C.J. BARNETT: I am advised that the largest residential college in terms of numbers of students is probably Broome, with around 50 to 60 students. I think Albany would probably be of a similar size, with around 50 students. I think when I was minister there were around 35, but I think it is grown a bit since then.

Mr P.B. Watson: Yes, close to 60. It is chokkas.

Mr C.J. BARNETT: Yes, there is demand there.

Taking a bit of a punt, I would not be fearful if there were 100 to 120 students in a residential college, as long as it was a properly designed modern facility and not one of the old ones; I think that is quite sensible. The non-government schools in Perth will typically have that many boarders, and most of those schools now have single rooms and the like. I think that is now applying, so refurbishing is going to single rooms, which, for young girls is important for privacy and so on. If they are properly designed and run, I do not think the numbers would matter. We would not want 500 students, but I am talking about a bit over 100 or that sort of range. We are not at that level yet, but given what the member for Albany just said, maybe Albany is an example of where there could be another expansion and maybe a push up to 100 students at some stage.

Dr A.D. Buti: I think 100 would be good, because you would be able to provide a range of services that you would not otherwise be able to provide.

Mr C.J. BARNETT: Yes; it could be done better.

Dr A.D. Buti: There would be the issue about student–staff ratio.

Mr C.J. BARNETT: There would be a better choice at dinner too, I think!

Dr A.D. BUTI: I refer to proposed section 213E “Powers of Minister relating to student residential colleges”. Proposed subsection (2) states —

Without limiting subsection (1), the Minister may for any of the purposes mentioned —

- (a) acquire, hold, manage, improve, develop and dispose of property or an interest in property; and
- (b) accept any gift, grant, devise or bequest if it is absolute or subject to conditions to which the Minister agrees; and

I am not really too concerned about the last bit of that proposed subsection at the moment. If someone like “Twiggy” Forrest wanted to donate X amount of dollars, I wonder about the conditions subject to which the minister would agree. I am a bit concerned about there not being some criteria for what would be acceptable or not and that we are leaving it to ministerial discretion. We often have to do that with a lot of things, but there does not seem to be any guidance about who can leave that bequest and what condition it can be left on. I am a bit concerned about that aspect.

Mr C.J. BARNETT: The powers of the minister over student residential colleges as outlined here basically reflect or parallel the powers the minister has over schools, so it is basically the same. Yes, there can be similar situations. Someone might just leave money to provide more materials to the library. That is probably pretty straightforward and probably just handled by the principal and maybe the district director. Sometimes there can be well-meaning potential bequests that go a bit beyond. I will not mention the example, but several years ago there was a well-intentioned proposal basically for a non-government group with good intentions to take over a government school because it thought it could do a better job. Who knows whether it could or could not have, but at the end of the day the answer was no, the school would remain fully under the director general and the Minister for Education. If they are significant, those sorts of issues will usually find their way to the minister and there will be advice. Often the minister would seek legal advice on stuff like that; I certainly would have.

Dr A.D. BUTI: This is more a policy consideration. In regard to the local input networking and communications committees, which are only advisory, is there any policy consideration about conflict of interest? In other words, could they have any commercial interest in the residential college?

Mr C.J. BARNETT: It is the same issue that would apply to school boards. They could get a conflict of interest and, again, it could be well intentioned. Someone who has a building company might happen to be on the advisory board and say, “I can actually do that job for you a lot cheaper.” Everyone might think that that is a great idea, but it usually ends in tears. It is the same set of requirements as that which relates to schools. Those sorts of issues can be quite a dilemma for local school communities and, equally, for residential colleges—Katanning is the unfortunate

example with McKenna—but town communities get behind their residential colleges. They support them in all sorts of ways. Of course, parents come into town to pick up or see their kids, spend money at the local shop and maybe stay overnight. There is a bit of an economic driver there. I always get wary when a price is attached to gifts of that sort. I have one primary school in which the school board is run by mothers. A lot of their husbands and boyfriends are tradies. They wanted a nature playground, and the women just told the blokes to come and build it, and, over a weekend, they did. That is because women were in charge. Again, there can be a dilemma when someone's husband, for example, is running a business. The Department of Education is pretty good at dealing with that. School principals or the head of a college would seek advice on that; I would certainly expect them to. Sometimes the best intentioned things can end up in dilemmas.

Dr A.D. BUTI: When one of my children was in primary school, as a fundraising exercise for the class, because we wanted to build something, I said that I would prepare free wills—well, \$50 for each will—for any parent who wanted to come. It was with good intentions; the money was all going to the school. All hell broke loose because they thought I was pocketing the money and it was going to the law firm.

Mr P.B. Watson: That's because you look dodgy!

Dr A.D. BUTI: Yes, I look dodgy. I know it is.

The ACTING SPEAKER (Ms L.L. Baker): Thank you for sharing that, member for Armadale.

Mr P.B. WATSON: Just getting back to the local input and communications committees, the bill states that they can take part in and provide advice on the selection but not the appointment of the people at the college, and provide advice as to the means by which disputes or complaints about the students of the college may be dealt with, but they cannot have any say in it. Whom do these committees put their cause to? Do they put it to the manager or to the department?

Mr C.J. BARNETT: Generally, it would be through the manager, but they might have a problem with the manager. In that case, I expect they would go to the district director, maybe the director general or maybe even the minister if they have an issue. Again, there might be personality clashes and sometimes there might be people who are not competent at their job.

Dr A.D. BUTI: Will the hostels all be owned by the education department? They will not be rented, will they?

Mr C.J. Barnett: No.

Dr A.D. BUTI: Proposed section 213D, "Operation and management of student residential colleges", goes to my question earlier about the object of the act. I presume that this proposed section is what the Premier was referring to when I asked about the standard of care and so forth. It states that the responsibility of the minister includes determining, implementing and monitoring the standard of care. Is that what the Premier was referring to?

Mr C.J. Barnett: Well, I did not know it was there.

Dr A.D. BUTI: Can that responsibility be delegated—not the operation, but the legal delegation?

Mr C.J. BARNETT: It depends how significant the issue is. It is the responsibility of the minister, which in practical terms means the department, but some issues will come to the minister and he or she might have to sign off on them. Basically, the proposed section says that the authority lies with the minister; therefore, it lies with government and the department.

Dr A.D. BUTI: Proposed section 213G states that money paid for advertising or sponsorship is to be paid to the student residential colleges general purposes fund. Proposed subsection (2) states —

The Minister is to ensure that a subdelegation does not state that this section is to apply, unless the ...

In other words, I do not understand that. What does it actually mean?

Mr C.J. BARNETT: Sorry; I missed the point.

Dr A.D. BUTI: Sorry; I am not 100 per cent sure what proposed section 213G(2) means.

Mr C.J. BARNETT: This section is the same as that for the education department relating to schools. If there is a subdelegation, I am told that it can apply for two years. If it is not delegated and it stays with the director general, it is a five-year period. I do not know whether that makes sense.

Dr A.D. BUTI: I want to go back to the code of conduct that the member for Albany mentioned; that is proposed section 213J, "Code of conduct for students". Obviously, the minister will prepare and issue a code of conduct that will set minimum standards. How does it work with the school that the students attend? There will be a code of conduct while they are in the hostel. Does the principal of the school that the student goes to have any say in the hostel's code of conduct to try to make sure that they have the same ethos and so forth?

Mr C.J. BARNETT: This provision does not give the principal a say, but I figure that if there are troublesome students, the school principal or senior staff might have a view. The code of conduct for the hostel needs to be consistent with at least what applies at the school, but it is different because it covers seven-day-a-week accommodation in most cases during school terms, so there is free time, recreational activity, and going into and out of town or whatever it might be. There are a number of issues, but they would be in addition to any school standards. By definition, it would probably be more detailed and broader.

Dr A.D. BUTI: This is just a question to try gather information. Of course, the parents or someone pays for the accommodation of the student at the hostel—for board and food and so forth. What about additional activities that the hostel might want to put on for the students, such as weekend trips et cetera? Will that just be like fees and charges or will there be a compulsory contribution scheme or a voluntary contribution scheme as we currently have? How will that work?

Mr C.J. BARNETT: I am told that the annual residential fee is about \$16 000. It is a significant amount of money. There would be activities, no doubt, that the hostel just does in which all children or students take part. If the hostel were to organise something a little bit more exotic, such as a field trip or whatever else, that had an additional cost to it, that would be on a voluntary basis. That would be the sort of thing that the hostel would manage itself. I think that any educational institution that deals with children would want all children to be able to take part in the activity. That has always been a problem with schools in the past when only the parents who can afford it or are willing to pay for it get their kids to go on it and other kids miss out. I think even the private schools around the state have now adopted that philosophy. If it is not available to everyone else, they do not do it. It does put pressure on parents. Again, I am thinking about some of the Perth schools. I will give an example of a friend. Their son got picked for the school cricket tour of England. Not every parent can afford to pay school fees and boarding fees and then fund a kid to go on a school cricket tour to England. What can they say to the kid? It can be a real pressure, particularly in times when conditions in farming communities are poor, as they were 10 or so years ago. It was a real struggle for parents to keep their kids in residential accommodation, whether in Perth or in these colleges. I am sure that special provisions were made within government school hostels, and I know that a lot of the boarding schools around Perth had special provisions and gave discounts. When my son was in school, every parent contributed a bit more to help the farm kids get through. They are practical reality issues that will be faced in a hostel.

Dr A.D. BUTI: In response to what the Premier said, in some schools in lower socioeconomic areas there is only a 30 per cent take-up rate of the voluntary contribution scheme while other schools in certain areas have a 150 per cent take-up rate. It is a real dilemma and it seems to increase the disadvantages between schools in some areas and schools in other areas. It is the voluntary nature of it that is often the problem.

Mr C.J. BARNETT: Yes. During my time as Minister for Education when this particular education bill was put in place, one of the major points of debate was so-called school fees because the government provided free education. I think a fee makes it cheaper for parents and is fairer overall; otherwise, there will be kids who are not provided with certain things, whether it is computer disks or whatever it was at the time. The fees are minimal. It is a problem because some schools in higher income suburbs basically get a 100 per cent collection. Some schools cheat and charge more than they should and still collect the money. It is a dilemma. I think the Department of Education will often support schools in lower income areas to try to make sure that the children in those areas are not disadvantaged. It is an issue.

Dr A.D. BUTI: I refer the Premier to proposed section 213N, “Membership of LINC committees”. Proposed subsection (4) reads —

Unless otherwise provided by the regulations, a member is to hold office for a term of not more than 3 years as is specified in the instrument of his or her appointment, and is eligible for reappointment.

That is fine. Has any thought been given to placing a limit on how many times a person can be reappointed? It could work either way. If there is a limit on how many times a person can be reappointed, the problem is that in smaller communities, they may not be able to find enough people. However, the other problem is that the same people may always be on committees and there is no fresh air or rejuvenation.

Mr C.J. BARNETT: That can be an issue for metropolitan schools, too. Sometimes a school has a great volunteer but it can never get that volunteer to move on, which can be a bit of a problem for the school. The appointments to LINC committees will be made by the director general. The senior executive of the Department of Education will be conscious of that. I am a little bit sympathetic to what the member said; if a person has done seven, eight or nine years in this sort of role, it is probably time to move on and there is nothing more difficult than trying to get someone to move—just ask some of my colleagues!

Clause put and passed

Clauses 12 to 24 put and passed.

Title put and passed.

Third Reading

MR C.J. BARNETT (Cottesloe — Premier) [1.54 pm]: I move —

That the bill be now read a third time.

DR A.D. BUTI (Armadale) [1.54 pm]: I thank the Premier for his answers and the information he provided during the consideration in detail stage and for answering the questions asked by the member for Albany. I will be brief; funnily enough, this might take only five and half minutes—I am not quite sure!

This piece of legislation was needed. It is a shame that the catalyst for it was the tragic scenario of what happened in Katanning. Obviously, the intentions and establishment of the original authority were laudable and necessary. Hostels were needed in country areas to enable students who lived in country regions to go to secondary college; indeed, not all students could afford to be sent to private schools in the city where the normal fees were considerable without adding boarding fees on top of that. Of course, the government, which has an obligation to provide public education, had to find a way to accommodate students rather than requiring them to travel hundreds and hundreds of miles each day. Of course, some students travelled hundreds and hundreds of miles a day just to get to school. Another option was School of the Air. So this was a very sensible option.

The history of these country secondary high school hostels and the authority that managed them is set out in the Blaxell inquiry report. I recommend to anyone who is interested in the government provision of accommodation for students that they read the Blaxell inquiry to ensure that we never go down that path again. This legislation will mean that the responsibility for the accommodation of students who attend public high schools will rest with the director general of Education, the Department of Education and, ultimately, the Minister for Education. That is very important and hopefully will provide a better governance structure and better operation and management of hostels. The Premier is right; there is no need to be overly concerned if hostels are large. The issue is how they are managed. We have to ensure that there is always a proper student-to-staff ratio at hostels. We do not want them to be too small because in effect that will limit the services provided to students. We have to remember that it can be very challenging to leave home to attend an education institution. We must ensure that hostels are not only areas of safety for students—ultimately the government's number one priority is to ensure that they are safe places—but also provide a proper stimulating environment to enable students to reach their full potential in their education. That is a very important subsidiary role. The number one role, of course, is that they are safe spaces. The number two role is that they provide an environment that ensures that students are not inhibited or restricted in attaining their education potential. There are enough stresses and strains for students who leave home. One can imagine what it is like for a 12-year-old to leave home to attend a hostel—it must be quite daunting. When this bill is passed, hostels will come under the direction and responsibility of the Department of Education and that is something that we all support. This side of the house supports it. We see it as an appropriate response to the Blaxell inquiry. The members for Albany and Maylands talked about the recommendation of the one-stop complaint shop. What Blaxell meant was one shop that provides support.

Ms L.L. Baker interjected.

Dr A.D. BUTI: That is exactly right, member for Maylands—it should provide a journey from the time a student makes a complaint to the time they receive support. That is very important. The Premier mentioned the reason that the one-stop shop is not in the legislation. However, what is more important than whether it is in the legislation is that policy and processes are put in place so that students who want to make a complaint about the way they are being cared for can make a complaint and have a smooth journey from the time the complaint is made to the time they are provided with protection.

We believe that the School Boarding Facilities Legislation Amendment and Repeal Bill contains the appropriate provisions needed to ensure that the responsibility is transferred to the Department of Education. It will provide the resources to ensure that these hostels are appropriately managed and appropriate facilities are provided for students. That can be quite tricky because students from the age of 12 years up to 18 years, from both genders, can be in one hostel. There are the added issues of special demands for students with disabilities, culturally and linguistically diverse students and, of course, even students from remote Indigenous communities.

Debate interrupted, pursuant to standing orders.

[Continued on page 7775.]