

WORKING WITH CHILDREN CHECKS

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the member for Carine seeking to debate a matter of public interest.

Several members interjected.

The SPEAKER: Members, please, this is a matter of public interest. It is an important part of Parliament. You might think that you are funny, but you are not.

[In compliance with standing orders, at least five members rose in their places.]

MR A. KRSTICEVIC (Carine) [2.53 pm]: I move —

That this house calls on the McGowan government to do more to protect vulnerable children, including an immediate referral to the Community Development and Justice Standing Committee to investigate the dangerous shortcomings of the working with children checks.

On 23 October, the Auditor General issued a report titled “Working with Children Checks—Follow-Up”. It was a damning report, which raised a number of very concerning issues that I will go through. I was listening to a representative from the Department of Communities the other day who said that the department supported the Auditor General’s findings and promised to have them all implemented by June 2020. That is potentially another eight months that people will have to go through this very concerning process before they can find out whether they will get a working with children check card. The Minister for Community Services said on ABC radio that we need to give them natural justice and that we cannot issue an interim order because they need natural justice. Therefore, it is okay —

Ms S.F. McGurk: I didn’t say that.

Mr A. KRSTICEVIC: Yes, you did. You said natural justice. As a matter of fact, you tried to palm it off to the Auditor General, saying the Auditor General said natural justice, which she did not. You misquoted her.

The SPEAKER: Through the Chair, member for Carine.

Ms S.F. McGurk interjected.

The SPEAKER: Minister!

Mr A. KRSTICEVIC: The Minister for Community Services might want to listen to her interview and correct the record. Natural justice should be for the children, not these people who end up getting working with children check cards. The minister indicated that the government was working with the sector and that services were delivered by the sector, not by the government.

It is interesting to read the 2020–21 state budget submission by the Western Australian Council of Social Service, which the minister might want to read, because she gave a speech at its launch. In the section titled “Vision”, the submission states —

There is clear frustration that the promises of more collaborative and joined-up service design and delivery have not materialised, particularly place-based reforms in regional areas. Meanwhile, the focus on complex machinery of government changes and a lack of communication have led to a loss of clarity in roles and responsibilities and contact points, particularly in the Department of Communities.

That is a scathing submission by WACOSS about the minister and her department. The Auditor General also made reference to that. The report states —

Since the Machinery of Government changes in July 2017 it has not been able to provide a breakdown of staff from the previous Department of Housing or Disability Services Commission who require a Card.

Furthermore, it does not effectively monitor or report to senior management on its own compliance with the Act. Communities does not know if it complies with the Act it is responsible for administering.

The Premier said that the Department of Communities would look into this and fix it, but the Auditor General has said that it has no idea what it is doing. It is not even administering its act properly, let alone getting other people to administer the act properly. WACOSS has the same concerns. Hopefully, the minister will take that on board seriously.

In February, the Commissioner for Children and Young People highlighted a number of serious vulnerabilities that seem to have been ignored by the minister. The Royal Commission into Institutional Responses to Child Sexual Abuse also looked into this issue. Again, the minister and her department have ignored that. Its recommendation was that checks be completed within five working days, and no longer than 21 days for complex cases. The minister’s

department is taking up to 384 days to complete a check, and those people are being allowed to continue to work with children while those checks are going on. Ultimately, they are being rejected and told that they do not have the right to work with children after they have been working with children for 384 days. That is an absolute disgrace and a concern. The royal commission indicated that it is not appropriate to give these people any access to children while they are being screened. Why is the minister ignoring all these reports that have been done over so many years?

Mission Australia recently released a report about youth mental health issues. It found that 25 per cent of 15 to 19-year-olds meet the criteria for psychological distress, of which 30 per cent are women. The minister talks a lot about the things she is doing to help people, but our youth are struggling and suffering and on every measure that has been presented, she has failed and continues to fail. She needs to make sure that her department is appropriately resourced so it can do the job it needs to do. It obviously is not. WACOSS knows that. As a matter of fact, the entire sector knows that. It is crying out for help from the department and it is not getting any help. As the minister indicated, her department does not deliver any services. It funds other providers. Guess what! It is not funding them enough. They are screaming for more funding and cutting back on their services. If the minister spoke to members of the sector as I do and genuinely had an interest in what they had to say, she would be concerned about what has been going on in her department.

Her government continues to ignore the plight of vulnerable young people. Let us look back at the sexual abuse in Roebourne. In 2018, the Minister for Police could not even confirm the whereabouts of the 59 people who had been charged with child sex offences. People are not even being tracked. In fact, when they are released from jail, the Attorney General defends their being out on the street, and when they breach their conditions, he defends the fact that they are not back in jail. He is a big supporter of those people being released back into the community and children being put in danger. It is an absolute disgrace. When it was asked how many victims there were in Roebourne, according to the Minister for Child Protection, in November 2017 there were 216 victims; a month later, in December, there were 224.

Ms S.F. McGurk: That is not true.

Mr A. KRSTICEVIC: My understanding is that 216 was the number, and then in December it was 224. Subsequently, in October 2018, a new figure was provided, which was 42 victims. The number has jumped all over the place. I remember the minister saying in this Parliament that child abuse was normalised in that town. Do you know what? If child abuse is normalised in Roebourne, the minister needs to declare a state of emergency. She needs to get police and child protection people in there. She needs to divert the entire resources of this state to help those vulnerable children. If she keeps ignoring the situation —

Ms S.F. McGurk interjected.

Mr A. KRSTICEVIC: You said it was normalised. They were your words—your words! That is an absolute disgrace if that is the case.

The SPEAKER: Member, you will talk through the Chair, not to the minister, please.

Mr A. KRSTICEVIC: Yes, Mr Speaker; sorry.

Let us not talk about homelessness, because that is another area in which the youth are being totally ignored. Thousands of homeless young people, women, children and men are being abused physically, sexually, emotionally and psychologically because this government is doing nothing to help them. They are in vulnerable situations. The youth of this state have never been in a worse situation. The amount of psychological distress from the harm and abuse experienced by young people, whether it is through drugs or alcohol, is outlined in the Mission Australia statistics. It is because these people are being left in vulnerable situations. In answer to a question in the other place, the minister said that the government would consider—“consider”—funding as part of the next budget for homelessness. It will consider it. There is no guarantee that it will provide funding or acknowledgment that funding is urgently required. It is going to consider it. There might be no funding. We might get a strategy three years afterwards and the level of funding will be totally inadequate, or it will just be dismissed. Do members know why? It is because it is not an election winner. It will not get the government votes, so it does not care. It does not care about people who do not vote for it. It does not care about helping those most vulnerable.

Ms J.J. Shaw: That’s insulting.

Mr A. KRSTICEVIC: You should be helping them; not buying votes in marginal seats. You should forget about sending money to marginal seats in the next election; send money to the helpless, poor, dying young people who need help now, and help the sector to deliver services so that those people can be helped.

Ms J.J. Shaw: You are disgusting.

Mr A. KRSTICEVIC: These are just statistics. If you do not like them, vote against your minister—kick her out and get someone in who will do the job properly.

The SPEAKER: Member!

Mr A. KRSTICEVIC: In WA today —

The SPEAKER: Excuse me—through the Chair, please.

Mr A. KRSTICEVIC: Thank you, Mr Speaker. In an article in WA today on 6 August 2019, headed “Foster carers say WA government must ‘get real’ about child protection crisis”, Fay Alford from the Foster Care Association of Western Australia states —

We have got a government that isn’t terribly focused on child protection ...

That is a damning statement in itself from foster carers. The Auditor General’s report on foster carers, titled “Working with Children Checks—Follow-up”, states —

... Communities advised 46, or 1%, did not have a valid WWC Card or an application in progress. Twenty-five of the 46 had failed to renew their WWC Card and the remaining 21 had not lodged an application for a WWC Check. This presents a risk to some of the State’s most vulnerable children.

These are people who look after foster children and they have not even had working with children checks. The department allows this to occur. It is imperative for the government to support this motion so the issue can go to a committee and be considered in a bipartisan way, and we can ensure that the department, which is failing on every measure, does its job, because nobody has confidence in this department. The new machinery-of-government changes have destroyed the ability of that department to do its job. It reports to four ministers—four ministers! Who is in charge? It is obviously not the Minister for Community Services because every single aspect in which she is involved is failing. And I am not the only one saying that; people in the sector are saying that. Every time I meet with them they say, “Fail, fail, fail.” Obviously, they are not going to come out and say that because they are hoping they might get a couple of dollars. I said to them, “Don’t worry about waiting for this minister to do anything. You need to step up and expose her for her lack of empathy, lack of support and lack of commitment to the sector.” If she were real, she would ensure that funding was made available. We know that not enough funding is out there. We know there have been funding cuts and we know that the minister is not doing anything to ensure that is rectified. Obviously, we know about the situation that is reported on the front page of *The West Australian* today.

Ms S.F. McGurk: What funding cuts? Detail the funding cuts.

Mr A. KRSTICEVIC: It was interesting that —

Ms S.F. McGurk interjected.

The SPEAKER: Minister, you will have the opportunity to reply. You can do that then.

Point of Order

Mr Z.R.F. KIRKUP: I just make the point that if the minister keeps interjecting on the member for Carine, you cannot expect him not to direct his remarks to her.

The SPEAKER: Were you listening to what I said?

Mr Z.R.F. Kirkup: I was more focused on the point of order.

The SPEAKER: Sorry; it is a point of order and, minister, you will have the opportunity to talk next.

Debate Resumed

Mr A. KRSTICEVIC: Interestingly, today in question time the Premier blamed the association. It is the association’s fault that that individual was not checked and that he did not have a working with children check. He is not saying that it is the department’s fault. The department is not doing anything to proactively work in this space. There are no education campaigns. There are some audits, but only when they are initiated by the people. It is interesting enough that the lawyer said the umpires had a discussion about whether they even needed a working with children check. My God! People who work with children in a sporting environment do not know whether they should or should not have working with children checks. Someone is failing there, and it is not the association; it is the department. The department needs to make sure that those people know that a check is required, and a campaign is needed to ensure that people are having those checks. The Premier should not blame the association for that. It is an absolute disgrace.

As I said before, a number of audits were done. In 2017–18, the Department of Communities conducted 24 audits and 124 investigations. However, these were initiated only when information was received from external sources. The department does nothing in this space. It does not do any audits; it does not do any checks and balances. As a matter of fact, even more damning in this report is that the department does not even know whether its own staff have working with children cards. They are supposed to have them. There is no internal mechanism to say whether they have or have not got them. There are no records. If the department cannot even manage its own staff to have the appropriate checks and balances, how do we expect it to manage the rest of the community? How do we expect

it to support the rest of the community when it does not have the resources to do even its own checks and balances, let alone do what needs to be done at a broader level?

It is obvious that this minister has failed the vulnerable children of this state. It is obvious that the minister does not care. It is obvious that 53 people who were not eligible to have a working with children card spent nearly 14 192 days with children. Those children were exposed to individuals who were deemed inappropriate to be with them. That is an absolute disgrace. They should have an interim order to say that they cannot work with children until the department is clear about their status. We are talking about over 105 applicants, or in this category only 53 people. It is not a lot of people. The minister should forget about natural justice for those people. They do not deserve natural justice. The children deserve to be protected. The Auditor General said that. The royal commission said that. Every single inquiry has said that. The minister can do the pub test and ask, “Should I defend the people who apply or should I defend the children?” I guarantee they are not on the minister’s side. She should listen to her interview. She said “natural justice” needed to prevail, and she tried to palm it off onto the Auditor General. Nowhere in that report does the Auditor General say that natural justice needs to be given to those people. The Auditor General says that the government needs to fix this. This is an issue; it is important and it is critical. It needs to be addressed straightaway—not in June next year. The government needs to fund the department and make it happen. The minister needs to do her job. If she does not want to do her job, she should give it to someone else.

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.08 pm]: I rise to contribute to this matter of public interest. The reason the opposition raised this matter today is that last Wednesday the Auditor General tabled the report titled “Working with Children Checks—Follow-up”. It was a follow-up to a report that the Office of the Auditor General commissioned in 2014. Rather than jumping the gun last week in Parliament, the opposition made the decision to place some questions on notice in the Legislative Council to get some additional information on that report. When the additional information was uncovered yesterday, it triggered alarm bells with the opposition. We felt compelled to bring this matter of importance to the Parliament today because the information that was exposed was indeed quite alarming. We did not raise this matter with our tails up. Nobody on the opposition benches takes pleasure in discovering that there are serious flaws in the processes that the Department of Communities has in place for working with children checks. Part of the reason that we shoot this home to this government and ministerial responsibility is that following the 2014 report of the Office of the Auditor General, some recommendations were made to the agency but not all of those recommendations have been implemented. Indeed, although some progress was made on the days taken for working with children checks to be investigated and issued, because of the government’s machinery-of-government changes made after its election, the Department of Communities is now in chaos. The number of days taken to process the working with children checks, particularly for individuals whose applications are not straightforward because they have criminal histories or things in their background that are of concern, has blown out to 211 days.

I turn to the other reason that the opposition thought it was very important to raise this matter. Page 8 of the Auditor General’s report, quite alarmingly, states —

Communities also still needs to improve its own compliance and internal reporting. It has not identified exactly how many of its own staff require a WWC Check and does not report compliance to senior management. There is a risk that not all staff who need a WWC Card, have one.

This is the actual department. The department cannot identify how many people within its own employ require a working with children check and, indeed, of the ones who do require it, whether they have one. That is incredibly disturbing.

We looked at some of the other findings of the Auditor General’s report. The issues that we followed up related to 53 individuals who were working with children and were subsequently found to pose an unacceptable risk to children and therefore could not be issued with a working with children card. It took more than 200 days—53 individuals had access to children for 14 192 days—to find that they posed an unacceptable risk to children. That is over six months. It took over six months to issue a notice prohibiting these people from working with children. Over 80 per cent of people who ultimately received a negative notice were able to work with children while their application was being assessed. That is why the opposition is calling on the government to take some steps to ensure that no individual can work with children until they have been appropriately assessed by the department, the check is complete and they have been issued with a working with children card. We cannot take that risk.

We inquired about what services these 53 people who were found to pose an unacceptable risk to children were providing to those children. It was alarming. These individuals were working in a childcare service, an educational institution for children and a coaching or private tutor service. I cannot imagine how the parents whose children were in the custody of a coach or private tutor are feeling. We do not know how many children may have been exposed to an individual who was subsequently deemed to pose an unacceptable risk to children for over 200 days—six months. Other areas that these individuals were employed in were an arrangement for accommodation or care of children, a placement arrangement—I understand that relates to foster carers—and a counselling or other support system. Children who needed counselling and support have been in the care of an individual who was found by

the department to pose an unacceptable risk to children and as a result have been refused access to a working with children card. I find that extraordinary. Other areas were a religious organisation; a club, association or movement; a ward of a public or private hospital in which children are ordinarily patients; a transport service specifically for children; and a children's entertainment or party service. The other two categories that are really frightening are a babysitting or childminding service and an overnight camp. One, or potentially more, of these 53 individuals who were found to pose an unacceptable risk to children were looking after children at an overnight camp, babysitting children, providing counselling services to children and tutoring children. We do not know how many children these 53 hazardous individuals had contact with or if, indeed, anything happened to those children as a result of this contact.

Obviously, I am a parent, and a grandparent of little ones who are usually babysat, thankfully, by my daughter who has a working with children check because she is studying to be a primary school teacher at TAFE and Curtin University. The other disturbing thing is that when we look at these people who were refused a working with children card, we do not yet know why the department determined that these 53 individuals posed an unacceptable risk to children. We do not know whether it was because they had previously sexually or physically abused children. We do not know whether they were refused a working with children card because they had previously accessed child pornography. We do not know whether they had violent histories. We do not know whether they had a history of drug abuse. We do not know why these individuals were deemed by the agency to pose an unacceptable risk to children. We do not know the histories of these 53 individuals, and we do not know whether they had previously abused children. They were looking after these children. These children—they were already vulnerable kids—were in their care while they were coaching them, counselling them, teaching them, and looking after them at an overnight camp and in a hospital ward.

They were not individuals who were just waiting for a card; they were individuals who were waiting for a card who were deemed to pose an unacceptable risk to children. That is why we are calling on the government to make some immediate changes, to not allow this to happen again, to not allow individuals to work with children unless they have been cleared by the agency to not pose a risk to those children. Immediate changes need to occur. This is an untenable situation. Additionally, the opposition is calling on the government to allow a parliamentary committee to look into the working with children checks and have a bipartisan approach for a system that stands up and protects our children. That is what the opposition is calling for, and we wait with bated breath for the government's response to this incredibly serious situation that children of this state now find themselves in.

MR P.A. KATSAMBANIS (Hillarys) [3.18 pm]: It gives me absolutely no pleasure at all to be standing on my feet to speak on this motion today. The protection of our children is a paramount consideration for everyone in our community. I acknowledge that it is absolutely a bipartisan thing. There is no member of this chamber or any other Parliament across Australia who does not consider the protection of our children to be paramount. I do not accuse the government or members of the government, or the minister or anyone else, of not caring about protecting our kids. I accept that we do. However, we have seen absolutely damning and frightening reports such as the report tabled in this place last week, on 23 October, by the Auditor General titled "Working with Children Checks—Follow-up". When we see reports such as this, we have to look deep within ourselves and ask why we are failing in the way the Auditor General highlights in the report and what can we do to make it better. I use the word "we" advisedly. Anyone who checks my record in this place, or the other place, since 2013, will see that I have consistently called for changes. When my party was in government and since this government came to power, I have called particularly for changes to working with children checks, because they are quite clearly failing and creating an unacceptable risk to the health and wellbeing of our children. We all bear a collective responsibility to fix that. The report is absolutely damning. It says that the Department of Communities has some sort of internal criteria—we are not told what the criteria are—by which it determines whether someone who has applied for a working with children check ought to be issued with an interim negative notice. If someone with no criminal history applies for a working with children check, they get a tick and their card. The report tells us that they get their card within an average of four days, which is good, and we commend the department for that side of it. However, when someone has a criminal record, the department has a choice to issue that individual with an interim negative notice so they cannot work with children until a final determination is made or it can choose not to issue an interim negative notice and those people can continue to work with children until a final determination is made. We are told that the department's criteria sift out only 20 per cent of people it ultimately finds are not eligible to work with children at the interim stage. That process in itself is broken. When the system sifts out only 20 per cent and allows the other 80 per cent of people who later are deemed to be inappropriate to continue to work with children, it in itself is broken.

I will look at the time it takes the department to assess that those people who continue to work with children are actually inappropriate to work with them. This is a real issue. We are told that in 2018–19, 105 such people went through the sifting process and were not issued with an interim negative notice and continued to work with children, but subsequently were told, "Sorry; you're not eligible. You're not getting one of these checks. You're

not getting a tick; you're getting a cross." Of those 105 people, 52 were processed in less than 200 days. For 53 of those people, it took more than 200 days to process their applications. The 52 applications that took less than 200 days is bad enough, but 53—more than half—of those people continued to work with children for more than 200 days. In fact, it states on page 16 of the report that the average time it takes to consider a negative report is 211 days. That went up from 137 days in 2017–18 to 211 days. That is a massive increase in the average time taken. What happened in that intervening year? We had the machinery-of-government changes and the departments were put together. Was that a factor? We think it was. We need to examine all of this. In particular, it is very, very important that we look at whether it is still appropriate in 2019—because this is relatively old legislation—that we go through this triaging system of whether to issue an interim notice. Perhaps anyone who falls into the criminal category ought to be prevented from working with children until they are checked off and given a tick. We may need to go down that path. I understand that that may inconvenience some groups in the community, but the protection of our children is paramount. The reason we say that a committee needs to look at this issue is that we need to be bipartisan about this.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [3.24 pm]: I can be pleased about this motion today to the extent that we have finally seen some interest from the opposition on child safety and the regimes and recommendations that came from the royal commission. I have been minister for over two and a half years and in that time I do not think I have had any questions on the Royal Commission into Institutional Responses to Child Sexual Abuse, which is the most comprehensive examination of child sex abuse in our country. As I have said publicly many times, we are very grateful for those people on whose evidence those findings relied. They were incredibly brave. It was often at great personal expense that people came forward and told, often publicly, their stories of abuse. If not for those stories, the royal commission's work would not be as comprehensive or as thorough as it is. We are grateful to them. I think to honour those victims' past, we should implement the royal commission's recommendations. We committed publicly to the Parliament that we would implement all the recommendations relevant to Western Australia. We are systematically and thoroughly working through that. We are looking at the highest common denominator, or highest benchmark, for child safety. I will come back to this point.

The royal commission has a separate report on working with children checks. I understand that much of what is contained in the Western Australian legislation already covers many of those recommendations, but we do have to make changes. We are looking at implementing those changes. We have committed publicly to doing that and we are prioritising that work because there is still a lot to do. There is no doubt about that. The public expects good work from the government, hopefully, in a bipartisan way, to maintain systems of maximum child safety.

I also make the point that working with children checks are but one measure to ensure child safety. They are an important measure, but they are not a replacement for all of us being vigilant and aware of child safety. The message from this government is that unequivocally child safety is the responsibility of all of us. Of course, working with children checks are important. The legislation is reasonably thorough, although there could be some improvements, and we are working our way towards making those improvements. The frustrating reality is that if abuse has not come to the attention of the public or the authorities, someone who could still be a risk to children could get a working with children card. The agency can respond only when charges or convictions are in place. A working with children check should not be seen as a replacement for vigilance on child safety.

I will work my way through the Auditor General's report. We welcomed the report. I was interested to hear the Leader of the Opposition say that this is an incredibly serious situation. It is an urgent matter that should be considered by this Parliament, but it took the opposition over a week to bring it to Parliament's attention. The report was issued last week. Last week, there were no questions or comments in the chamber by the opposition about this matter. It took members opposite a whole week to get their heads around this issue.

Mr Z.R.F. Kirkup interjected.

The ACTING SPEAKER (Mr S.J. Price): Member for Dawesville!

Mrs L.M. Harvey interjected.

The ACTING SPEAKER: Leader of the Opposition, you have had your chance to speak. Let the minister speak, please.

Ms S.F. McGURK: The opposition has delayed raising these questions in Parliament. The Office of the Auditor General looks closely at our systems. As the Leader of the Opposition said, the Auditor General last audited the working with children checks in 2014, and seven of the eight recommendations in that report have been implemented fully or partly. Having said that, improvements still need to be made. The turnaround for working with children checks has improved significantly for those who do not have any convictions or charges against them, and that is a good thing. One in five adult Western Australians holds a working with children card, so they are incredibly widespread, and about 130 000 applications are processed every year. It is vital that the stakeholders—parents, children, employers, childcare operators and sporting clubs, to name just a few—can trust the system. The Auditor General said that the Department of Communities' Child Protection and Family Support division should

have erred and given an interim negative notice to about 0.1 per cent of that total number; however, I concede now and I conceded last week that if there is any risk to children, we err on the side of caution. The department is looking at how it works its way through that to make sure that there is a risk-based prioritisation of those applications in which there is some sort of charge or conviction and a working with children check needs further examination. One would hope it would be a speedy system, but the reality of our databases—particularly interstate databases that involve the sharing of information—is that it can sometimes be a slow process to make sure that we have examined all the possible areas in which information might lead to better decision-making on whether a working with children card should be issued. That is good, thorough work that needs to be done, but it can be slow. The Auditor General said that we should issue interim negative notices in the meantime.

When the Leader of the Opposition was Minister for Police in 2014, she may have said this, but I do not remember her saying this, “We should give interim negative notices; we should not give a working with children card to anyone unless they have had the full checks undertaken.” That did not occur in the eight and a half years that she was in government, and, in fact, it is not a recommendation of the royal commission. Perhaps the member could have taken the time to look at what the royal commission said. It released a separate report in 2015 on working with children cards.

I think it is important to make sure that we have a uniform national system around these assurances. The working with children check is important, and a national system would increase compliance, because we would have a nationally recognised system for checks that was set at the highest common denominator. The royal commission did not recommend that we hold all working with children cards until the full examination had taken place. Let us be clear: we have committed to implementing any changes to our working with children check system that the royal commission recommended.

The Auditor General also looked at the work the department is doing both internally and externally that needs to be more risk based and proactive. I take on board the points that she has made in that report and we will work on that within the department.

[Quorum formed.]

Ms S.F. McGURK: I was talking about a comparison with 2014, and the improvements the Auditor General recommended for our working with children check systems. We have taken on board her recommendations. In fact, the department has committed to implement those recommendations by the middle of next year. The member for Carine pooh-pooched that and said, “You have to implement them tomorrow! You have to implement them straightaway!” He flapped his arms around and said, “This is an emergency! We’ve got to do this now!” It will not be effective unless we work our way through the department to make sure that across the breadth of our state, for the 130 000 applications that are made every year, we do the thorough work that is needed for the information exchange. We want to do justice to the issue at hand and we have committed to implement those recommendations by the middle of next year to adopt a risk-based approach internally as well as externally to the issuing of interim negative notices, which are issued when there is any concern. I notice that in 2014, only 18 interim negative notices were issued by the former Department for Child Protection and Family Support. Members opposite were not exactly proactive when they were in government, but, of course, we did not hear from them at all about that back then.

The other thing that is important is, as I said, we have national databases or information sharing. All those systems need to be put in place. Western Australia is actually the first jurisdiction to contribute to a national database to make sure that if someone has been given a negative notice or has not been issued a card, that information is shared with other jurisdictions. If someone is refused a card in Western Australia, they can try to go to another state, but that information will be shared. We are the first jurisdiction to make a contribution to that national database.

I refer to the prosecution following an assault on a South West Football League umpire. The reality is that continual and ongoing awareness raising is needed to make sure that the community in general, but particularly employers and volunteer-based organisations, are aware of their obligations with working with children cards. The obligation falls on those employers and managing entities. The department has a role to play in general education and awareness raising, and it does that, but, clearly, we are continually monitoring that. It is just not true to say that this is not on our radar at all. We have been doing a lot of work, and the Minister for Sport and Recreation will talk about some of the work in the sporting community, particularly with children.

I draw members’ attention to the prosecution that took place involving the Cottesloe Surf Life Saving Club last year. The club was aware that one of its previous employees did not have a working with children card—in fact, he had been refused a card—but they still allowed him to do volunteer work. This is the Cottesloe surf club, sometimes known as the North Cottesloe surf club. A report in PerthNow in July 2018 states —

The Cottesloe Surf Club and a banished former life member have been fined by a magistrate after admitting ignoring legal requirements on working with children.

The charges arose under the Western Australian Working with Children (Criminal Record Checking) Act 2004 and related to Trevor Guy Maybank. He had been previously charged with three counts of indecently dealing with a child under 14, relating to alleged incidents in 1979 involving a nine-year-old boy who was under school supervision but not at school at the time. The charge was discontinued in 2016; however, a negative notice remained. That means he did not have a valid working with children card. Mr Maybank maintained a connection with the surf club he had been associated with for decades. Not only was Mr Maybank successfully prosecuted for doing child-related volunteer work without a valid card, but also the surf lifesaving club. Mr Maybank initially claimed that he was going to plead not guilty but he eventually pleaded guilty and was fined \$7 500 and costs. Later, the Cottesloe Surf Life Saving Club followed a similar path, initially pleading not guilty. It had one charge dropped before pleading guilty to the other, and it was fined \$10 000 with costs. It is clear that the department was proactive when it became aware that not only was someone doing child-related work who did not have a valid working with children check card, but also an organisation was aware that he did not have a card, continued to flout that and allowed him to do volunteer work. That is the sort of proactive work that we want to see. There is more to do; I do not shy away from that. It would be folly for any government or any government minister to say that we have this covered. As I said, working with children check cards provide a sliver or a band of comfort for people doing child-related work or volunteer work; however, they are no replacement for vigilance by everybody for child safety.

We are doing a lot of work in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, and I would urge members on the other side of the house to look at the work that we are doing, the reports that we made last year to Parliament, the initial statements we made to Parliament and the report that we made last year about how we were progressing on the recommendations. There were 310 recommendations applicable to the state government, 108 of those recommendations have been completed and work is progressing on a further 186. Some of the achievements that we have put in place include the passing of the Civil Liability Legislation Amendment (Child Sex Abuse Actions) Act 2018, to allow people to pursue civil action through the courts, another area that the previous government completely failed to act in; joining the National Redress Scheme, following extensive consultation with the government, an area that the previous government failed to act in; and passing the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 to allow the processing of applications from the beginning of this year. This work will not be quick, because it is thorough and comprehensive; it is a five to 10-year program of reform that is around the framework of preventing future abuse, responding swiftly to abuse should it occur and addressing past abuse. It has 13 priority areas for this year, which include a new criminal offence for institutions that fail to report suspected abuse, supporting institutions to implement child safety standards and improving the working with children checks screening. We have allocated \$5.7 million for that work and are prioritising that work with the Department of the Premier and Cabinet, the WA Police Force and other relevant agencies. The Department of Communities has primary responsibility for that.

I will make a couple of other points. The motion refers to the matter of our general child vulnerability, and that the McGowan government should do more to protect vulnerable children, including a referral to the Community Development and Justice Standing Committee to investigate shortcomings in the working with children check system. The motion outlines a need to do more to protect vulnerable children, but it was a catch-all. Then I heard the member for Carine starting to refer to homelessness and all sorts of different areas, thousands of homeless young people who are being abused every day in Western Australia, or words to that effect. It is pretty amazing what the member for Carine quite hysterically claims at times. The member for Carine also talked about funding cuts, but failed to detail what funding cuts he says that we have presided over.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Ms S.F. McGURK: In fact, during question time, I referred to the \$53 million of additional funding for new family and domestic violence services.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Ms S.F. McGURK: I did not ask for any interjections from the member for Carine, perhaps he should listen.

Mr A. Krsticevic: Yes, you did.

Withdrawal of Remark

Ms S.F. McGURK: Mr Acting Speaker, could I just ask that the member for Carine withdraw what he just said, that I asked for interjections? Would the member for Carine like to repeat that?

Mr A. Krsticevic: Which part?

Ms S.F. McGURK: When he said I asked for interjections.

Mr A. Krsticevic: You asked for an interjection.

Ms S.F. McGURK: I did not ask for interjections. Do not be so patronising.

Mrs A.K. HAYDEN: Point of order, Mr Acting Speaker, I am sure the speaker is meant to go through the Chair.

The ACTING SPEAKER (Mr S.J. Price): There is no point of order, member for Darling Range, but it was the member for Darling Range who commented about not encouraging the interjections. Member for Darling Range, keep your comments to yourself for the moment.

Ms S.F. McGURK: I heard the member for Carine say that I asked for interjections. He should not be so patronising as to say that I asked for something that I did not.

Mrs L.M. Harvey: You misheard.

Ms S.F. McGURK: I did not. I am not asking for the Leader of the Opposition's input, thank you very much.

The ACTING SPEAKER: Members, please. The minister has said that she is not taking interjections. The member for Carine was not interjected on very much at all. Let the minister finish in silence, please.

Debate Resumed

Ms S.F. McGURK: My point was that the member for Carine talked about funding cuts. It was an expression that he threw around. He never detailed any funding cuts because we have not presided over any funding cuts.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine, I call you to order for the first time.

Ms S.F. McGURK: We have not presided over any cuts, quite the contrary. As I outlined to the Western Australian Council of Social Service at the event of its state government submission last week —

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine, I call you to order for the second time.

Ms S.F. McGURK: I detailed the additional funding that we have secured for the sector of \$24.7 million for the early years initiative; \$20 million of additional funding for the early intervention and family support strategy; \$53 million for family and domestic violence services; \$5.7 million towards responding to the royal commission, as I referred to previously; \$7.4 million in additional funding for more financial counsellors; \$20.5 million of additional funding for Target 120; and \$20.8 million of additional funding for homelessness services. The \$24.7 million of additional funding secured for the early years initiative was secured in partnership with the Minderoo Foundation and Telethon Kids Institute. That is over \$30 million of new investment that we have added to the community services sector in the last two and a half years. That hardly constitutes a funding cut. In addition, we have reinstated the original non-government human services sector indexation rate of 80 per cent wage price index and 20 per cent consumer price index, after the former government unilaterally wound indexation back to only CPI. This change to the indexation alone represents an increase of approximately \$30.2 million funding to the community services sector over the next four years. Significantly more resources have been put into the community services sector.

I hasten to say that making inroads into child safety and into very complex social issues such as homelessness or family and domestic violence will not be through additional money alone. Those issues will not be solved with that. If they would be solved by money alone, we would hark back to the millions of dollars that the previous Premier, Colin Barnett, poured into the sector when he came to government in his first term. It was very welcomed by the sector, but I did not see homelessness, domestic violence or child sexual abuse magically dissolve before our eyes. We need to get the combination right. Where there is stress in the system and where additional funding is needed, we will advocate for that and secure it. But we also have a responsibility, as I said in question time, to not only the taxpayer, but also those most vulnerable in our community to get the spend, the design of the services and the intervention right with not just the public sector, but also the not-for-profit sector. We need to have our efforts targeted and evaluated to make sure that we are doing the best job possible for those vulnerable in our community. I understand that. I do not know whether the member for Carine or some of those opposite do. It is easy to stand up and say that they are alarmed by child sex abuse—everyone is. It is another thing to take the time to look through the recommendations of the royal commission, talk to those who are working in the sector to understand how they will prioritise that work and look at the government's framework for implementing those recommendations of the royal commission. That is what we are committed to doing: not only understanding and listening to people in the sector so that we understand where need is presenting, but also working with them hand in hand so that we get the most effective interventions possible.

Dr A.D. Buti: Good work, minister. It is complex and they don't understand that on the other side.

Ms S.F. McGURK: No, they do not do complex; that is right.

I want to make one other comment about the west Pilbara. The member for Carine has again skated over the detail and either wilfully misrepresented the facts or has not been paying attention. I actually suspect the latter. In his contribution to this debate, he said that the number of child sex abuse victims in Roebourne was in the high 200s. That is not something that the government has ever said. In fact, it is not true. Numbers were bandied around, not by the government, in questions in Parliament and sometimes in the media. It was said that there was a high number of potential or possible victims of child sexual abuse and people were concerned about that. I understand that. In fact, we later clarified that the actual number was nowhere near the hundreds. However, we admit and concede that one victim is one victim too many—there is no question about that—and that we need to put in place thorough systems to effectively respond to abuse in communities. Going in with all guns blazing, as the opposition proposes, would drive the problem further underground in some communities. That is not what we want to do. We want abuse to stop, but we want disclosures to increase. We want people to feel safe and secure that if they come forward, we will deal with their disclosures sensitively and effectively.

MR M.P. MURRAY (Collie–Preston — Minister for Sport and Recreation) [3.51 pm]: As time is moving on, I will focus my contribution on this motion a bit more on the sporting area and what happened in the south west, which was reported on the front of *The West Australian* today. We have to remember that looking after children is everyone's responsibility—it does not matter what, where or who. It is very important that we do not get lost in the political argument that has been put up today, which detracts from the work that many people do to help in this space. Trying to score political points on something like this is just totally wrong. I will say it again: it is wrong, wrong and wrong! The member for Carine should be ashamed of himself.

More than 130 000 working with children applications are processed every year. That is the size and complexity of this issue—130 000 people go through the screening process each year. I will get to the South West Football League. I know nearly all the people in the South West Football League, and I know that they would have been absolutely beside themselves about the problem that occurred in that area. However, I know that they immediately went about fixing the problem. Every Saturday, 46 000 volunteers support community football. There are complexities that go with that. Many of those people are working with children on those days, from Auskick right through to the under 17s. It takes a huge amount of work just in the area of football to make sure that we do not get some of those mongrels in amongst the system who would try to use our children to their own advantage. The West Australian Football Commission also recognised that and brought in its own policy in March this year, with the help of the Department of Local Government, Sport and Cultural Industries. It put out brochures at the start of the football season and worked with clubs and state sporting associations to try to limit the impact of what may happen in the future. It is not that nothing has been done, as was said by members on the other side. A lot of work is being done.

Further to that—I have to jump over a bit—as the Minister for Volunteering, I am pleased to report that the Volunteer Community Reference Group is working very hard to make sure that the screenings can be done more quickly, while also making sure that the people who do get a card are screened properly. These people sometimes go across one, two or three areas; they are not just in the sporting area. We are working with the Department of Communities in that area, not on a one-size-fits-all model but on a very broad check and balance, because some people may have a working with children card for one area and want to take it over to another area.

The other point I want to make is that we have also implemented the Safe Clubs 4 Kids initiative, which is a partnership between the Department of Local Government, Sport and Cultural Industries, SportWest, the Department of Communities' working with children screening unit, the Western Australia Police Force child abuse squad and Surf Life Saving WA. We have thrown out the net to try to catch a few of those people. The sport and recreation industry is trying to create and maintain safe environments for children and young people. The work is being done there. The opposition said that nothing is being done, but it certainly is. We have also worked with the state's sporting associations. Those sports will not get funding unless they have a comprehensive program to make sure that screening is done so that children can be safe in the future.

Division

Question put and a division taken, the Acting Speaker (Mr S.J. Price) casting his vote with the noes, with the following result —

Ayes (19)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Dr D.J. Honey

Mr P.A. Katsambanis
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love

Mr W.R. Marmion
Mr J.E. McGrath
Ms L. Mettam
Dr M.D. Nahan
Mr D.C. Nalder

Mr K.M. O'Donnell
Mr D.T. Redman
Mr P.J. Rundle
Mrs A.K. Hayden (*Teller*)

Extract from *Hansard*
[ASSEMBLY — Wednesday, 30 October 2019]
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Mr Tony Krsticevic; Mrs Liza Harvey; Mr Peter Katsambanis; Ms Simone McGurk; Mr Mick Murray

Noes (34)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mr R.H. Cook
Ms J. Farrer
Mr M.J. Folkard
Ms J.M. Freeman
Ms E.L. Hamilton
Mr T.J. Healy

Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mr M.P. Murray

Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mrs M.H. Roberts
Ms C.M. Rowe
Ms A. Sanderson
Ms J.J. Shaw
Mrs J.M.C. Stojkovski

Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Question thus negatived.