

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

**2020–21 BUDGET ESTIMATES AND
2019–20 ANNUAL REPORTS**



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
THURSDAY, 19 NOVEMBER 2020**

**SESSION THREE
DEPARTMENT OF COMMUNITIES — CHILD PROTECTION**

Members
Hon Alanna Clohesy (Chair)
Hon Tjorn Sibma (Deputy Chair)
Hon Diane Evers
Hon Aaron Stonehouse
Hon Colin Tincknell

Hearing commenced at 1.31 pm

Hon SUE ELLERY

Leader of the House representing the Minister for Child Protection, examined:

Ms MICHELLE ANDREWS

Director General, examined:

Mrs RACHAEL GREEN

Deputy Director General, examined:

Mr MICHAEL CREVOLA

Chief Finance Officer, examined:

Mr MATTHEW RICHARDSON

Director, Management, Accounting and Financial Analysis, examined:

Mr PHIL PAYNE

Executive Director, Regulation and Quality, examined:

Mr GLENN MACE

Executive Director, Statewide Services, examined:

Mr NILUSHKA WIJAYADASA

Support, Chief Finance Officer, examined:

The CHAIR: On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations, I welcome you to today's hearing.

Please state whether you have read, understood and signed a document titled "Information for Witnesses".

The WITNESSES: Yes.

The CHAIR: It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being recorded by Hansard and a transcript of your evidence will be provided to you. It is also being broadcast live on Parliament's website.

The hearing is being held in public, although there is discretion available to the committee to hear evidence in private. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before answering the question.

Members, before asking your question, I ask that you identify whether it relates to the budget papers or annual report and provide the relevant page number. There is about 25 minutes for each of the two participating members and the rest of the time for the rest of the committee. We will start with 25 minutes for each of you, and then go around the rest of the committee, and if there is more time we will come back to you.

Hon NICK GOIRAN: I refer to page 33 of the annual report where it states that 375 children were in residential care. Can the minister confirm that "residential care" refers to group homes?

Hon SUE ELLERY: Yes, that is correct. It is group homes.

Hon NICK GOIRAN: Does the 375 refer to the number of children who passed through group homes throughout the year, or is it a reflection of the number as at 30 June 2020?

Hon SUE ELLERY: I am advised that it is a point in time, so it is a snapshot.

Hon NICK GOIRAN: Is that 30 June?

Hon SUE ELLERY: Yes.

Hon NICK GOIRAN: How many group homes were being used as at 30 June?

Hon SUE ELLERY: If you have a series of questions about group homes, I will ask the officers to find me notes about group homes, so I am not constantly turning around, looking for information.

I cannot do that, so I will have to take your questions as they come.

Hon NICK GOIRAN: The question is: how many group homes were being used as at 30 June?

Hon SUE ELLERY: There are 22 run by the department and another 40-plus that are funded and run by external organisations.

Hon NICK GOIRAN: Can the minister provide the committee with the number of young people who have been accused or convicted of sexual offences who were placed in a group home as at 30 June 2020?

Hon SUE ELLERY: Honourable member, I cannot give you a number for that date, but I can give you a more recent number. As at 28 October 2020, there were eight children in the care of the department who were reportable offenders. I am not in a position to give you their living arrangements, but I can say it is not the case that all eight of those are in residential group homes. I cannot give you a breakdown of what the placements are for those eight children.

[1.40 pm]

Hon NICK GOIRAN: Would you be able to provide that information on notice?

Hon SUE ELLERY: I will take it on notice. The only thing that we would need to be careful of is to make sure we were not giving you anything that is identifying. It might be group home or family placement; it might be kind of broad language like that, but I am happy to take that as supplementary.

[Supplementary Information No C1.]

Hon NICK GOIRAN: According to the Casework Practice Manual, specifically section 2.1.2, where a young person is considered a child who poses a risk to others, they need to have a case alert. How many young people in group homes as at 30 June had a case alert?

Hon SUE ELLERY: Are you referring to a particular part in the annual report or the budget papers?

Hon NICK GOIRAN: I am still looking at page 33 of the annual report where the department says that 375 children were in residential care, which you confirmed earlier means group homes. I am wondering how many of those people in group homes as at 30 June had a case alert. Clearly the number is less than 375.

Hon SUE ELLERY: The only reason I ask, honourable member—I know this is my problem not yours—is it is helpful to me it find the information you need quickly if I can look to a particular note. Asking for information about case alerts on the basis of an infographic is not particularly helpful, but I will see what we can find out. It will just take me a minute or to two.

I am not in a position to give you numbers of children who have a case alert. I would imagine that is kind of a point in time question if I were to give you a number at all because it would probably vary. I can take it as supplementary and I can see whether we can provide that information.

[Supplementary Information No C2.]

Hon NICK GOIRAN: Further to that, minister, how many of those young people in the group homes as at 30 June had the specific risk listed as relating to harmful sexual behaviours, sexual assault or of a sexual nature?

Hon SUE ELLERY: Again, honourable member, the nature of your question is such that we do not have that information here. The information that is prepared for the hearings is very much based on the detail in either the annual report or the budget papers, so for a question that goes to the operational matters like that, I would not have that information here. I will take it as supplementary. I am not trying to be difficult or unhelpful to the committee, but with the way you are framing your question, that information does not come to the committee in these files.

Hon NICK GOIRAN: Before it is taken on notice, I have one further supplementary. Are we confident that the information will be able to be provided?

Hon SUE ELLERY: I am not. I will take it as supplementary and I will have to check whether it is available. That is the best that I can do now.

The CHAIR: We will include that as part of C2 because it is a subset of the data required for C2.

Hon NICK GOIRAN: Now, minister, it is the case that in accordance with the Casework Practice Manual section 4.2.1, this information that I have just requested must be listed.

Hon SUE ELLERY: Chair, I wonder if I can ask for some assistance. I appreciate that you have a series of questions about the casework manual, but that is not the information that we have brought here to discuss, examine or assist the committee with its questions about annual reports or budgets.

Hon NICK GOIRAN: I am very relaxed about that, minister.

The CHAIR: Just responding to the minister; you are quite correct. That is what agencies have been asked to come here prepared for. But the member, I think, on this question, was going to go just a little bit further and not require information from the case manual but make a point about having the data available.

Hon NICK GOIRAN: That is precisely the point, Madam Chair. The Department of Communities annual report at page 33 under the heading “Safe children” states —

Safe children recognises that the environment of a child during early development profoundly impacts on their wellbeing for the rest of their lives.

It goes to say that there are 375 of such children in residential care and I am asking questions about those 375 children in residential care. If the answers cannot be provided today, that is fine.

The CHAIR: Member, you will also understand that the agency would not be able to pre-empt the very fine level of detail that you are requesting.

Hon NICK GOIRAN: There is no criticism on my part.

The CHAIR: Thank you. If you would like to continue your questioning, the minister will continue trying to provide you with the information.

Hon NICK GOIRAN: I am just confirming for the record that the information will be able to be provided.

Hon SUE ELLERY: I expect so; I expect so.

Hon NICK GOIRAN: Thank you. Now, minister, further to this, there has been some media reporting with respect to an independent review that has been ordered by the minister. The media reporting as recently as the end of October has indicated that the minister has called for a review by the Commissioner for Children and Young People into the placement of children with harmful sexual behaviours in residential care or, as we have discussed today, in group homes. My question is: what is the scope of the review?

Hon SUE ELLERY: Honourable member, I can tell you that the commissioner has worked with the department to settle the terms of reference of the review. We do not have a copy of that here, but I should be able to give an undertaking that I can provide that. If the system works well, and people have mobile phones, I might even be able to provide it before the end of the hearing. The commissioner himself anticipates that the review could be completed by the end of the year and he would provide a final report of that review to the minister through the Attorney General, recognising that the reporting structure of the commissioner himself is directly to the Attorney General.

The CHAIR: We will allocate that as C3, noting we may withdraw C3 if the document can be provided in the next hour or so.

[Supplementary Information No C3.]

Hon NICK GOIRAN: Minister, will the report of the review be made publicly available?

Hon SUE ELLERY: I do not know that. That would be a decision of the minister or government, so I am not in a position to answer that.

Hon NICK GOIRAN: Have there been any discussions with the director general of Communities about this report being publicly available?

Hon SUE ELLERY: I do not know about that. I am happy to raise that on your behalf with the minister, but that would be a decision for the government.

Hon NICK GOIRAN: Since the director general is here, can we find out?

Hon SUE ELLERY: I know where the director general is; I am saying to you that I am here representing the minister and any decision about that is the minister's decision, so I will take it up with her.

Hon NICK GOIRAN: No; sorry, we may be working at cross-purposes. I understand the decision is ultimately one for the minister; that is not in dispute. I am asking if there has been a conversation already with the director general about this issue.

Hon SUE ELLERY: I appreciate that and I understood the question. It is up to the minister to determine whether or not she wants me to reveal conversations she may or may not have had, so I will pass that on to the minister, but I am not able to give you an answer to that now.

[1.50 pm]

Hon NICK GOIRAN: Madam Chair, are we able to ask one of the other witnesses a question?

The CHAIR: The questions go through the minister, so you can try to; as long as it relates to the agency annual report or the budget, and the questions are directed through the minister.

Hon NICK GOIRAN: Just to be clear, we can ask a question of one of the witnesses that has been sworn in, or not?

The CHAIR: As I said, all the questions go through the minister. In practice, where there is an opportunity to let the information flow, I have chosen to do that, but the actual situation is that all questions go through the minister as the representative of the executive government.

Hon NICK GOIRAN: So if the minister is unwilling for one of the witnesses to provide information to the committee, a question cannot be put to another witness?

The CHAIR: Correct.

Hon NICK GOIRAN: Minister, I want to ask you now about caseworkers and their caseloads. You would be well aware, including in your time —

Hon SUE ELLERY: Sorry, honourable member, is there a particular page that you can direct me to?

Hon NICK GOIRAN: You can pretty much pick any page that you like in the annual report or the overall appropriation for the Department of Communities. The question is in respect to caseloads of caseworkers and this will certainly be within the knowledge of, I suspect, even yourself as a former minister for this area, but definitely your witnesses. You would be aware that there is an upper limit of 15 cases per caseworker and that in certain circumstances this can be shifted to a maximum of 18 cases. During the reporting period, was it ever the case that there were more than 18 cases handled by a caseworker?

Hon SUE ELLERY: Honourable member, I have a copy of an answer that I think has already been provided to you.

Hon NICK GOIRAN: That is why it should be a pretty easy answer.

Hon SUE ELLERY: I know; so I do not understand, if you already have it. You want me to do the maths to add up those numbers for you?

Hon NICK GOIRAN: No; I have not asked for how many.

Hon SUE ELLERY: Are you asking for the numbers in the reporting period where case —

Hon NICK GOIRAN: At any time during the reporting period, was it the case that a caseworker had more than 18 cases?

Hon SUE ELLERY: Yes, honourable member, and that was provided to you in a question that you lodged in advance of the annual report.

Hon NICK GOIRAN: That is right; rest assured that it has been read by me. Thank you for referring to that information. You will see then the frequency of occasions during the reporting period that caseworkers had not only more than the 15, as recommended by the Industrial Relations Commission's order, but in actual fact beyond the maximum of 18. What is the explanation for that?

Hon SUE ELLERY: The advice I have is that the number of cases on the monitored list, which is where the cases go when they are over those numbers, does vary every day due to the complexity of cases and reprioritisation of workload. I can give you some further information about how those cases are managed, but I think the answer has got to be that at any point in time there may well be a combination of complexity of cases and that is what determines when those numbers go above, but that the department does a whole range of things to try to ensure that they do comply with the upper limits that were put in place arising from the WA industrial relations order back in 2007. I am happy to talk to you about those things, but the day-to-day management of caseloads sees those numbers shift around from one point in time to another.

Hon NICK GOIRAN: Why would complexity of a case have anything to do with the quantity of cases? If a caseworker has, for example, 17 cases, somebody is obviously giving that caseworker more cases, even though they know full well that the person has 17 and pushing them over and above the 18.

Hon SUE ELLERY: Like any agency, depending on the complexity of cases, I am advised that decisions will be made from time to time that case X is better placed with caseworker Y because that is the better fit, and that goes to the complexity of that particular case. It is the case this is difficult and

complex work. Every single day, child protection workers are making decisions that most of the rest of us do not even want to think about, never mind have to make those decisions. From time to time, the numbers set out in that strategy arising from the IR commission order go above what they should be. But there are a whole range of measures in place to ensure that when that is the case and those cases go onto the monitored list, a whole range of other things are put in place to ensure that the safety of children remains paramount.

Hon NICK GOIRAN: Further to the question that has been answered prior to today's hearing, which provides information up until 5 June, can you take on notice and provide the caseloads over 18 for the months of July, August, September, October and November?

Hon SUE ELLERY: I can take that as supplementary.

[Supplementary Information No C4.]

Hon NICK GOIRAN: Pages 39 to 40 of the annual report state that for the reporting period, 294 negative notices were issued and 175 interim negative notices were issued. How many of these were for first-time applications?

Hon SUE ELLERY: I am advised that we do not have that level of operational information here. I will ask Mr Payne to provide you with some information because he has some stats and numbers that might be of some —

Hon NICK GOIRAN: If it is not about the number of first-time applications, then it will not be helpful.

Hon SUE ELLERY: Okay.

Hon NICK GOIRAN: But are you happy to take the actual question on notice as supplementary?

Hon SUE ELLERY: We will take it as supplementary.

[Supplementary Information No C5.]

Hon NICK GOIRAN: Further to that, minister—I assume you will need to take this on notice as well—how many of these were for renewals; and, further, how many of these were issued as a result of continuous monitoring?

Hon SUE ELLERY: I think we can provide you with some information in respect to your earlier question. Because the advisers were talking when you asked me the second question, if you repeat that now, I can ask the director general to find that while Mr Payne is giving you the other information.

Hon NICK GOIRAN: To be clear, there are three questions: How many were for first-time applications? How many were for renewals? How many of these were issued as a result of continuous monitoring?

Hon SUE ELLERY: We will take parts 2 and 3 as supplementary and we can give you part 1 now. I will ask Mr Payne to do that.

The CHAIR: Parts 2 and 3 will be C6.

[Supplementary Information No C6.]

Mr PAYNE: For the financial year 2020–21, for new applications, there were 39 negative notices issued and there were 20 interim negative notices issued for that same period. For the previous year, 2019–20, for new applications, there were 201 negative notices issued, and for the previous year, there were 96 interim negative notices issued.

[2.00 pm]

Hon NICK GOIRAN: Is there a witness who is able to inform the committee about how continuous monitoring of working with children checks is done by the department?

Hon SUE ELLERY: I will ask Mr Payne to do that.

Mr PAYNE: The department continually monitors those people with a working with children check by way of a national system that is reported through ongoing checks with the Western Australian police. Whenever the Western Australian police system reports to the working with children system that there is a new offence that is captured with either category 1 or category 2—type offences, an assessment notice is undertaken. For those offences that are identified by the Western Australian police that are of a nature that would warrant an immediate issuing of an interim negative notice, then Western Australian police under section 17 of the act have the capacity to do that, and they do that. We issue negative notices, on average, 1.2 days after the notification.

Hon NICK GOIRAN: It is actually police, then, that issue the negative notice in that instance?

Mr PAYNE: No. We issue the negative notice, but our system runs a comparison of those people with working with children checks through the police system.

Hon NICK GOIRAN: Is this process automated?

Hon SUE ELLERY: Yes.

Hon NICK GOIRAN: How often is this information reported, or alerted, to the Department of Communities by way of this automated process? Does it pop up on a screen saying “alert” or is there a weekly process or a daily process?

Mr PAYNE: It is a daily process. It is a live process that happens continuously. The number of current cardholders in the system is 230 000. It does take some days to go through the whole system continuously. The capacity is not able to do 230 000 instantly every second of the day, so it does take some days to work through that process, but it is an ongoing live system. As I mentioned, if there is a particular offence where the police identify concerns about that activity for a person who might be delivering working with children activities, they can report that to us directly, and we action that instantaneously.

Hon NICK GOIRAN: Is the information based on WA data or is it national?

Mr PAYNE: It is a Western Australian police system at this stage.

Hon NICK GOIRAN: If somebody has been convicted of a particular offence that might be of concern to us in another jurisdiction, we would not know about that.

Mr PAYNE: Sometimes we do, but there is not an automatic system Australia-wide.

Hon NICK GOIRAN: Is there a process in place so that you can be alerted at the first available opportunity?

Mr PAYNE: There are certainly obligations under the act for a cardholder to notify us, as well as employers —

Hon NICK GOIRAN: For whom to notify you, sorry?

Hon SUE ELLERY: A cardholder.

Mr PAYNE: As well as certain obligations on employing bodies to notify us.

Hon NICK GOIRAN: I can well imagine that a child sex offender might not be an enthusiastic deliverer of information to the Department of Communities. Is this process currently under review to look at an improved model? It sounds like it is satisfactory for the automated process for Western Australian data, but there seems to be a gap for national data. Is that an active line of inquiry?

Hon SUE ELLERY: I understand that with respect to the system and making sure that checks are done Australia-wide, police is leading that work. I might be able to get you some more information, but I would probably have to take that as supplementary as to what stage that is, but it is work that is going on nationally. It goes to the state and commonwealth relationship as well. I will get Mr Payne to talk to you about a particular national system.

Mr PAYNE: Whilst there is not a system where we check every other jurisdiction's criminal police systems, like we do in Western Australia, there is a national register system where we provide information to that central location, where other jurisdictions can access that. If somebody is convicted of an offence that we know in Western Australia, we can upload that to the system and other jurisdictions can be notified. Western Australia was the first to participate in that, and some of our activities have notified Tasmania, as an example, of offences by people who held cards in that jurisdiction.

Hon NICK GOIRAN: Can we take on notice this question about whether there is an active line of inquiry or review taking place with respect to the gap in the continuous monitoring process as it pertains to national data?

Hon SUE ELLERY: Yes, I am happy to take that as supplementary.

[Supplementary Information No C7.]

Hon NICK GOIRAN: I refer to page 44 of the annual report, where it says to meet the demand for foster carer placements during the COVID-19 pandemic, Communities started to prioritise working with children check screening of foster carer applicants. When I read that, my first reaction was to ask: why was this not done previously? That is not what I want to ask you now. I want to ask: will this priority process continue beyond the pandemic?

Hon SUE ELLERY: I might ask Rachael Green to make some comments about that.

Mrs GREEN: Any foster carer must hold a current working with children check or have a pending application before Communities can place a child with them. If a child is placed in an urgent care arrangement, we can apply for the working with children check and have a receipt. So, yes, absolutely, the enhanced working with children check during the pandemic, we would be looking to continue that process.

Hon NICK GOIRAN: You would look to continue that process. What would be the blockage? It seems to me self-evident that we would want to prioritise screening for foster carer applicants for a working with children check. As I say, it was odd to me that that was not already the case. It is now happening because of COVID. I am not sure why COVID suddenly makes it a priority, but let us put that to one side. It is now a priority; that is a good thing. Would we not want to ensure that is the case moving forward?

Mrs GREEN: We learnt a lot during COVID around the process that we have in place. So, yes, it might seem very sensible. Indeed, we learnt a lot during the pandemic, and that is one of the issues that we could actually look to enhance and continue.

Hon SUE ELLERY: Madam Chair, before the next line of questioning, I have a copy of the terms of reference of the review that is being conducted by the Commissioner for Children and Young People on children with harmful sexual behaviours living in residential care. Can I table that?

The CHAIR: Thank you, minister. We do not actually table in the committee, but the committee will accept it as a document and at its next private meeting at 3.05 pm we will assign public status to it.

Honourable member, if you could make this your last question for the time being.

Hon NICK GOIRAN: Thank you, Madam Chair. You have been most generous and it is appreciated.

I have one final question. I note that on the Department of Communities annual report 2019–2020 webpage, the Department of Communities’ full report is listed under the heading “Department of Communities” and that there is a separate “Activity Performance Information” document under the heading “Child Protection”. Why does the child protection activity performance information for 2019–20 sit outside the Department of Communities annual report?

[2.10 pm]

Hon SUE ELLERY: Good question. I have no idea. I am advised that it is with the objective of being more transparent, but that in the formal process of preparing an annual report, there are certain guidelines and protocols that need to be followed about exactly what information is captured in the annual report. The information that is captured in the activity performance information is extra to that, so it does not formally sit within the annual report, but the agency thought it was a good thing to do in the interests of making that information public.

Hon NICK GOIRAN: To conclude on this, Madam Chair, could I request that that information be provided to the committee?

The CHAIR: Could you be quite specific about what data you are after?

Hon NICK GOIRAN: Yes. It is a document titled “Child protection: activity performance information”.

[Supplementary Information No C8.]

SUE ELLERY: Unless anyone is going to refer to it and the officer needs it, I can give it to the committee now and you can make a decision in due course as to whether you make this a public document or not. I will just check that it does not have any secret notes in it.

Hon ALISON XAMON: I want to start by asking some questions about Home Stretch. I will reference the annual report as well as the budget papers. I refer to page 46 of the annual report. In the period that the annual report covered, how many young people were aged out of care and how many of those people were Aboriginal, please?

Hon SUE ELLERY: Between 1 July 2019 and 30 June 2020, the Home Stretch trial in Fremantle district supported 18 young people. Six opted out of the trial during this time. Of these 18, five were Aboriginal people. That Home Stretch trial operates with a maximum number of 15 places available for young people.

Hon ALISON XAMON: Thank you. Do you also have the overall number? I am trying to get an idea of how many young people were captured within the trial. Also, what were the reasons given by the six who opted out? Was that captured?

Hon SUE ELLERY: I think I gave you the number already. During that period, 18 young people were supported.

Hon ALISON XAMON: There were two parts to the question. I asked how many people and you said 18 and that six people opted out and five of those people were Aboriginal. What I want to know is how many children overall were aged out of care within that period as well. What the annual report captures is how many children were in care overall, but I am trying to get an idea of how many aged out of care would potentially be eligible for such a program going forward. If this program were to continue forward and be eligible for all children aged out of care, how many, for example, would have been eligible this year?

Hon SUE ELLERY: In answer to a question asked prior to the hearing today by Hon Nick Goiran—I am sure he does not mind us sharing the answer that was given to him —

The CHAIR: The information is public.

Hon SUE ELLERY: A total of 199 young people left care due to turning 18 during the 2019–20 financial year. The bit I cannot give you an answer to today is the reasons why those six in the trial opted out. I can probably take that as a supplementary.

Hon ALISON XAMON: I am assuming that the reasons given were captured.

Hon SUE ELLERY: I am sure there is an understanding of why they opted out, but we just do not have that here.

Hon ALISON XAMON: I accept that and I am happy to take that on notice, with any de-identifiers, quite obviously.

[Supplementary Information No C9.]

Hon ALISON XAMON: I again refer to the Home Stretch pilot program on page 538 of the budget, under “Details of Controlled Grants and Subsidies”. I suppose what I want to ask is whether there is any intention of expanding or continuing the Home Stretch trial, because I note that there is no money in the forward estimates. Is it anticipated that this program is going to receive any ongoing funding?

Hon SUE ELLERY: I am advised that there is an evaluation going on, and once that evaluation is complete and provided to the minister, I am sure that if that evaluation demonstrates a degree of success or even suggests how things might be done differently to be more effective, the minister would then put that through the normal budget process.

Hon ALISON XAMON: What is the time frame for that evaluation to be finalised?

Hon SUE ELLERY: We think early in the new year.

Hon ALISON XAMON: Are you potentially looking at having this program in some form, depending on the evaluation, from next year? I am seeing a lot of nods behind you, minister.

Hon SUE ELLERY: On behalf of the government, I do not think I could say that. I think I could say that we will look at the evaluation and a judgement will be made after that.

Hon ALISON XAMON: Thank you. I now go to page 59 of the annual report and the Aboriginal community controlled organisations strategy. Has the strategy been finalised?

Hon SUE ELLERY: The director general had a relevant meeting about that just this week, so I will ask her to make some comments on that.

Ms ANDREWS: I met with the co-chair, who is supporting us in the development of this strategy, just earlier this week. They are very close to finalising it. The last meeting that they had a week or two ago was very productive, so we are optimistic that it should be able to be finalised before the end of the year.

[2.20 pm]

Hon ALISON XAMON: I understand that only four per cent of Aboriginal children who are currently in care are being supported by an ACCO, so I am curious to know what specific work is being done by the department to increase the number of ACCO out-of-home care organisations, and what is the anticipated time line for any of that work?

Hon SUE ELLERY: I will ask the director general to make some comments about that.

Ms ANDREWS: As everyone is very aware, this has been not only a priority for us as an organisation for some time, but it has been strongly signalled in the new Closing the Gap targets that this is one of the foundational aspects if we are going to be able to move those targets. We are in the process of not only finalising this strategy, but looking departmentally how we support the implementation

of it. Right now we are about to implement a grants program. The Department of Finance has been supporting agencies with grants to help build capability of ACCOs. We are in the process of finalising that. From an organisational point of view, I have signalled early in this year the new structure; I will be establishing next year an Aboriginal outcomes division, and the role of that division will be primarily an accountability role holding the rest of the organisation to account. This will be one of the elements that it will be focusing on because of the Closing the Gap framework that we are going to be operating under. This will increasingly be seen as sitting there with our KPIs, sitting there in the data analytics that we are doing, and a priority for us as an organisation.

Hon ALISON XAMON: Has this been allocated as a specific project; and, if so —

Ms ANDREWS: The ACCOs?

Hon ALISON XAMON: Yes. How much funding has been allocated to that project?

Ms ANDREWS: The ACCO strategy?

Hon ALISON XAMON: Yes.

Ms ANDREWS: I could not give you the breakdown of the FTE and budget right now, but it is \$400 000.

Hon ALISON XAMON: I will move back to the budget papers; page 523, service summary 3, “Earlier Intervention and Family Support Services”. Can I ask why the decrease in the forward estimates, particularly from 2021–22 and 2022–23? Is it anticipated there is going to be fewer services or lower costs?

Hon SUE ELLERY: It relates to evaluations to be done. Initial funding for the earlier intervention and family support strategy was funded through to 30 June 2021 so that is why you see a decrease in the out years. Future funding is dependent on the outcome of the evaluation and whether or not there is any redesign to address any issues that might have been identified as part of that evaluation. Target 120 funding comes to an end on 30 June 2022 and that is why you do not see expenditure over the out years beyond that. That is also subject to an evaluation, including identification of future cost savings that might be achieved through the program captured in the social impact database that is being held by the Department of Treasury. That is the explanation for that.

Hon ALISON XAMON: I note that also that Communities’ annual report on page 33 notes \$36.6 million of spending on earlier intervention and family support; and on page 523 of the budget, service summary line item 3, the earlier intervention and family support actual is \$88 793 000. I was wondering if you could please explain that discrepancy.

Hon SUE ELLERY: In the annual report you are talking about the \$36.6 million investment in earlier intervention and family support services.

Hon ALISON XAMON: Correct.

Hon SUE ELLERY: So how do we marry that against —

Hon ALISON XAMON: Against earlier intervention and family support actual of \$88 million. If you could explain that discrepancy.

Hon SUE ELLERY: There are multiple programs reflected in service 3 in the budget papers; there is one program reflected in that infographic in the annual report.

Hon ALISON XAMON: Can I please have a breakdown of the \$88 million and what that actually encompasses?

Hon SUE ELLERY: I cannot give you a breakdown between these areas of work, but I can give you the areas of work: youth counselling outreach and education support services, non-government;

youth and family support workers; district office costs relating to intensive family support services; family support case costs; and intensive in-home family support services, non-government.

Hon ALISON XAMON: Minister, would it be possible for me to get that breakdown even if I need to do that on notice?

Hon SUE ELLERY: We do not have it here but, yes, I can take that as supplementary.

[Supplementary Information No C10.]

Hon ALISON XAMON: Continuing on with the annual report, page 37, earlier intervention and family support strategy, the first dot point, “Aboriginal In-Home Support Service”. It says 90 per cent of children referred to the keeping children safe at home stream remained with their parents after 12 months. I would like to know, please, how many children or families were referred to the safe at home stream service? Minister, I have just a few questions relating to this particular item.

Hon SUE ELLERY: Let us start with this. There were 1 935 referrals to the intensive in-home —

Hon ALISON XAMON: To the safe at home stream service.

Hon SUE ELLERY: Yes.

Hon ALISON XAMON: Minister, if it helpful, I can tell you what the rest of my questions were.

Hon SUE ELLERY: Okay, do that.

Hon ALISON XAMON: I wanted to also know how many families were referred to the unification stream; I wanted to know where the services have been offered and whether data is being kept as to how many are remaining with their parents after two years.

Hon SUE ELLERY: In terms of family support networks, there were 4 561 referrals for short-term and diversionary family support. If this is helpful, honourable member, there are some key analytics that might be of some assistance to you. Aboriginal in-home support services: 511 referrals representing 1 233 children. Eighty-eight per cent of the referrals were for keeping children safe at home and 17 per cent were referred for reunification with parents as the primarily goal. Early analysis suggested that up to 90 per cent of children engaged in the service to keep them safe at home had not entered care 12 months after exiting the service. Forty-two per cent of children engaged in the service remained reunified with their parents 12 months after exiting the service

Hon ALISON XAMON: That was in the actual report. What I wanted to know is whether data is being kept longer than that to see whether it continues to be successful. Is there intention to keep—again, I see nodding behind you.

Hon SUE ELLERY: To keep collecting the data?

Hon ALISON XAMON: To keep collecting the data.

Hon SUE ELLERY: Yes, it is.

Hon ALISON XAMON: The annual report, page 37, “Earlier Intervention and Family Support Strategy”, second dot point, “Intensive Family Support Service”. Of the 1 862 families supported, how many were families at risk of entering care rather than families working towards reunification?

[2.30 pm]

Hon SUE ELLERY: We might see if we can find that. What this is telling me is what is in the annual report already. The question was: of those who were referred, how many were at risk of entering care?

Hon ALISON XAMON: Yes, rather than families working towards reunification. My next question, minister, was going to be: for how many families did children end up entering care despite receiving the services? You can see the questions I am asking. I am trying to get an idea of the success.

Hon SUE ELLERY: I do not have that here, but we can take that as a supplementary.

Hon ALISON XAMON: The final question I wanted to ask in relation to that, please, was: of the families who are working towards reunification, how many were successful at being reunified with their children?

Hon SUE ELLERY: We will take that as a supplementary.

[Supplementary Information No C11.]

Hon ALISON XAMON: Going back to the budget—it is important to keep going back and forth—I refer to point 2 under the explanation of significant movements on page 524. I note that this indicator is only for internally delivered services. I want to know what percentage of these services are delivered externally—for example, by the community sector.

Hon SUE ELLERY: I do not think this answers your question, but the information I have been given is that Communities funds 48 community service organisations and local governments to deliver services for at-risk youth under the services for young people stream, to a value of some \$10.4 million in 2020–21. Maybe I will get you to repeat the exact question.

Hon ALISON XAMON: This is a similar theme to what I was pursuing with the Mental Health Commission, just so you are aware, in terms of wanting to get data from external services, particularly community-managed services, in terms of identifying outcomes. You have actually got here the indicators for internally delivered services, but I have been unable to get them for externally delivered services. I suppose it is one of my constant bugbears around wanting to ensure that as part of our procurement processes, we are able to collate that information in exactly the same way. What I want to know is why the indicator does not include the results of externally delivered services, and I would like confirmed whether that data is even collected.

Hon SUE ELLERY: I will perhaps get the director general to comment on the second part of the question. I can understand why you would want that information and why it would be useful to consider it, but I think we should not lose sight of what this document is, which is a budget about how we measure the performance of government. I understand the logic of the argument that we fund certain organisations and we need to expect them to do certain things in return for that funding, including collecting data and making that available, but I do not think it is unreasonable that it is not recorded in a set of outcomes.

Hon ALISON XAMON: Except, minister, I think it is necessary. The other thing is that if, externally, they are delivering it better, or not, then we need to know this because it is all taxpayer dollars.

Hon SUE ELLERY: You may well be right, but I do not think the budget about the outcomes of the agency is necessarily where that should be reported. In any event, honourable member—I am trying to answer your question—I will get the director general perhaps to make some comments about the accountability measures in place for those organisations that are funded by government and about what data they provide to government.

Hon ALISON XAMON: And also what is required.

Ms ANDREWS: The point you are raising is of significant importance to me and speaks to the organisational change that we have been implementing and the recruitment of our new CFO, Michael Crevola, who is sitting behind the minister. He just started a couple of weeks ago. This is already one of the areas he and I are talking about. I am happy to see what information exists now,

but we will be absolutely up-front with you—in measuring the right things and collecting the right data to give us confidence about the public value that is being delivered through our procurement processes, we know there are great opportunities to improve that. It is one of the reform programs that we are very focused on. That area of our business has now moved in under the CFO. You can expect to see, going forward, more information around that and more analysis around that.

Hon ALISON XAMON: So that will potentially be available in the next budget papers, for example?

Ms ANDREWS: Whether they are in budget papers or separate from them, it is absolutely part of the reform agenda for us. One of the biggest policy levers in government, of course, is how we use that procurement, in this case to deliver those really critical services. We are stepping up the data analytics but also the requirements and the obligations that we put on those organisations. I hope there will be more information for you in the budget papers—that would be our intention—but separately there will be as well.

Hon ALISON XAMON: As an aside, I suspect you will find that you are well and truly getting value for money, but I think it really helps to inform what services are best to procure. I look forward to seeing that data at some point across government and not merely within the Department of Communities.

The CHAIR: Honourable member, this needs to be your last question.

Hon ALISON XAMON: If it is my last one, I will go to my pet project. I refer to page 228 of Communities' annual report. How many children were in exceptionally complex needs care arrangements in 2018–19 and 2019–20? Thank you for giving me the warning, Madam Chair.

The CHAIR: It is not the first warning I have given you, honourable member.

Hon SUE ELLERY: As at 30 June 2020, there were 98 specialised fostering care arrangements in place, 75 disability placement and support care arrangements in place, and, as at the same date, 30 transitional high needs care arrangements in place. So that is around 200 in those arrangements.

Hon ALISON XAMON: That was for?

Hon SUE ELLERY: As at 30 June 2020.

Hon ALISON XAMON: Can I please have the same numbers for the previous year?

Hon SUE ELLERY: Yes; we do not have them here, but we can take that as a supplementary.

Hon ALISON XAMON: Thank you, minister.

[Supplementary Information No C12.]

The CHAIR: Before I move to Hon Dr Sally Talbot, minister, this document, "Child Protection: Activity Performance Information 2019–20", is also available on the Department of Communities website. Is that correct?

Hon SUE ELLERY: Correct.

The CHAIR: Just to confirm for the record, the committee does not need to assign public status to this document because it is already public. Therefore, it can be distributed to members as is. We will need three copies. Member, are you waving at me?

Hon PIERRE YANG: I am trying to grab your attention for a question.

The CHAIR: Do you want me to go to Hon Pierre Yang? Is that what you are saying?

Hon PIERRE YANG: That is correct, Madam Chair.

The CHAIR: You can use your words.

[2.40 pm]

Hon PIERRE YANG: I refer to page 518 in relation to the line item known as “Child Protection Demand Growth” under “Ongoing Initiatives”. I note that there is an additional \$10.5 million for child protection. Minister, could you please outline how changes to the cost-and-demand model have resulted in extra funding and could you please explain how the funding is consistent with the McGowan government’s commitment to child safety?

Hon SUE ELLERY: The cost-and-demand model is the mechanism by which funding is allocated. It is a mechanism that is agreed between the agency and Child Protection. In 2019–20, they agreed to significantly revise the existing model of that. That was to make sure that it reflected Communities’ business model, its new outcome-based management structure, and to accurately respond to demand. As a result of that overhaul of the model, an additional amount of \$10.5 million was allocated in 2019–20. We have seen a growth of 18.3 per cent of caseworkers who are managing workloads, so an 18.3 per cent increase in the number of those workers since we came to government. That is an increase in workers managing caseloads of 158.7 FTEs—an increase of that number over the three years. By comparison, the previous government over a five-year period increased the number of caseworkers by a total of just 32 FTEs. When you couple that work with the significant investment in early intervention and family support services, the Aboriginal in-home support services in particular are starting to deliver results. Importantly for Aboriginal children, who have always been disproportionately over-represented in care, the funding increases in child protection have meant we are seeing the lowest growth in Aboriginal children coming into care since 2004 and a negative growth in non-Aboriginal kids coming into care. That is the first reduction since 1998. That is a significant achievement. The total growth of children in care is 2.2 per cent, which is the lowest single-year growth since 1998. I personally, having been a Minister for Child Protection, think that this Minister for Child Protection needs to be commended for achieving those results, because they are genuinely stunning results.

Hon COLIN TINCKNELL: I am talking about budget paper No 2, volume 2, page 522, where it says —

An integral part of the new structure will be the establishment of three centres of excellence ...

One of those centres of excellence is the child protection unit. Can I just find out a little bit about that?

Hon SUE ELLERY: Good question.

Hon COLIN TINCKNELL: It talks about people with lived experience and that sort of thing in there and I am keen to know what sort of access the public would have.

Hon SUE ELLERY: It is about trying to elevate the profile of child protection and provide a more focused and coordinated approach to addressing the systemic issues. The establishment has been informed by formal consultation. We anticipate it being established by the end of the year.

Hon COLIN TINCKNELL: The end of this year?

Hon SUE ELLERY: Yes, and I just double-checked, because I said that was not far away now.

It is about trying to establish best practice. It will be working with other research-based organisations as well, looking at all of those key systemic issues—those are the big issues that go across the system—looking at what is best practice and how we can do things better. If there were particular issues that happened, that centre of excellence would be the go-to place to look at perhaps how other jurisdictions have handled this set of circumstances; that sort of thing. It will look at ways to embed functions and cultural changes; examine trends in data, doing analysis on

that; setting the child protection research agenda; collecting strategic data for Communities; and, as I said, establishing partnerships with research organisations.

Hon COLIN TINCKNELL: I know you just gave Hon Pierre Yang some figures, which covered some of the questions I had, so I will not ask again. They were long-term figures that you quoted, and they were quite good news. Has there been a bit of a spike since COVID started with children in care?

Hon SUE ELLERY: I will ask the director general to make some comments about that. Certainly one of the things that there was a spike in in COVID was family and domestic violence, and so there may well have been children coming into care as a result of that, but I will ask the director general to make some comments about that. I might just add, the director general also sits on that subcommittee of cabinet that has been dealing with COVID. She provides to that committee, every time we meet, the welfare report on all of the issues that are being dealt with as a result of COVID.

Ms ANDREWS: In terms of children coming into care, we have not seen a spike during COVID. It is a positive. We still want to understand all of that more. There have been differences happening in metro versus regions, so again this is data we want to unpack more, but we have not seen a spike. The minister made reference to FDV. That is one of the social indicators we have concerns about. We are seeing that travelling in the wrong direction through COVID.

Hon COLIN TINCKNELL: I am trying to get a picture of these young people. What would be the percentage of these people who have probably been in the system for a long time and may have even been locked up in facilities somewhere at some stage? Do you keep a percentage of those people who have been locked up in facilities, or people who are just entering the system? I am trying to get a feel for how long they are in the system for. What ages are they?

Hon SUE ELLERY: I am sure the honourable member understands this: as a general starting point, children are in care because something has happened to them, not because they have done something. Sometimes as a perfectly normal human reaction to being in incredibly awful circumstances, children's response to that will be to act out, and then that gets them the attention of the justice system. There is certainly an overlap between children in care and the justice system. How that is measured, I am not sure whether we do —

Hon COLIN TINCKNELL: One of the reasons I am asking that is if there are people who have been in the justice system and then you have got other kids staying with them who have not, that could be a possible issue.

[2.50 pm]

Hon SUE ELLERY: There is no question about that. There are enormous complexities in managing the things even if the children in care, you know, living in a group situation, have not been in contact with the justice system, very, very often, but, most of the time, they are the victims of trauma. Even if all that trauma was, and I do not mean to diminish this, both their parents have died and there is no-one else to look after them or they have come from a family situation where for a range of reasons there is a level of dysfunction and they have either been the subject of neglect or, even worse, abuse. So there is trauma coming into care, full stop, whether or not they have been caught up in the justice system as well.

Hon COLIN TINCKNELL: Yes, I understand.

Hon SUE ELLERY: Managing that is the work of the professional people who provide that care and supervision and, of course, provide, as necessary, therapeutic assistance to help those children get through those circumstances. I think I referred to it in one of the answers I gave a bit earlier, but I think it is also probably helpful to mention that Treasury led some work—I cannot remember what they called it; that kind of data stuff that they were doing—to assist government. Really it started

with trying to assist government with the justice pipeline. It is called Social Investment Data Resource, which is trying to collect all that data to match and to also, without getting into profiling, trying to identify those families where there is intergenerational trauma, intergenerational dysfunction and trying to properly map at what point, if we intervene early enough, can we send the next generation on to the safer path than the dangerous path and actually trying to align our policies better. Target 120 was part of that. The member might recall that that expression came about when a previous police commissioner was making public comments a few years ago now, basically saying there are about 100 families in metropolitan Perth who are known to every agency, because there are intergenerational issues going on and they keep coming up. When I was Minister for Child Protection, with no disrespect to the circumstances that led to that, I used to call them the frequent flyers, because they would constantly be in touch with housing, child protection, justice, the police or mental health.

Hon COLIN TINCKNELL: It seems to be the same with car thefts—you name it, there is a group.

Hon SUE ELLERY: Yes. That conversation started about how we know that if we were to target those families that are most at risk, we would not only save the future of that next generation, but we would be saving the state as well, because all those interactions of course come with a cost and that kind of analytics is indeed being done.

Hon COLIN TINCKNELL: This is just an observation. We tend to look at actuals and budget, but when we look at average waiting time, 95 weeks, and median waiting time, 45 weeks for accommodation—this is all on page 524 of the budget—they are horrendous waiting times, they really are. As a society we have got to get a lot better than that.

Hon SUE ELLERY: Yes. You are talking about another part of the Communities portfolio, which I am not here representing.

Hon COLIN TINCKNELL: Yes, I understand that.

The CHAIR: This hearing is not related to that.

Hon COLIN TINCKNELL: It is very related. These facilities are needed.

Hon SUE ELLERY: I understand the point you are making.

Hon TJORN SIBMA: Just a very quick one, minister, that concerns the key effectiveness indicators as they appear within the budget papers—that table. I just want to talk very briefly to outcome 4, because outcome 4 is quite explicit about what is being measured; it is children and young people.

Hon SUE ELLERY: Honourable member, can you just give me the page number?

Hon TJORN SIBMA: I have to find the budget paper.

The CHAIR: “Outcomes and Key Effectiveness Indicators”—page 523.

Hon TJORN SIBMA: The last part of that sentence is really quite interesting, in that it states —

... young people in the CEO’s care receive a high quality of care and have much improved life outcomes:

I just want to put the emphasis on that last part of that sentence. Has there been any sort of longitudinal assessment, say five, 10 or 15 years out, about what happens to children after they leave the CEO’s care when they reach a level of maturity? I would just be interested in any hard data on that and whether or not there is actually an opportunity to improve those adult outcomes through what we do as a community or as a government when those children are actually under our care?

Hon SUE ELLERY: Yes, there is. While the officers might be getting me a note about that, I can tell you that, as a general statement, the outcomes are not good. The non-government organisation that used to represent children in care, that I used to meet with are called CREATE. I had dealings with them when I was Minister for Child Protection. They are the advocacy group for children in care and children leaving care. All the work they have done says pick a measure, and young adults who have left care will generally be below what is the community standard—pick an education level, employment, income—pick all those things on any measure, as a general statement, their outcomes will be poorer. That is why I know that the minister and the agency have been working really hard on not just extending the period of time for which the agency provides support, but also focusing on how we can address some of those things like the educational outcomes, for example. That is a piece of work that has taken a long time. The issue in child protection—I mean no disrespect, and it does not mean that the older children are valued any less—is it is always far more urgent that you are dealing with a six-month-old baby, as opposed to the 15-year-old who is going off the rails. You are government, you have got a finite budget, whichever government it is, and it is just so much more pressing to deal with the baby than it is with the 15-year-old. That is historically what has happened. I will see if there is any additional information I can be provided with about perhaps how we support or collect data about children leaving care.

There are no further notes that they can give me, but I am advised that SIDR, which is that group led by Treasury, the intention is that over time that will be the mechanism that we use to try to collect that data. What I might do, if it is of use to the honourable member, is take as supplementary and provide you with perhaps a bit more detail about how the department provides support for young people leaving care.

Hon TJORN SIBMA: That would be most appreciated; thank you.

[Supplementary Information No C13.]

Hon ALISON XAMON: I refer to the Department of Communities annual report, page 41, on the National Redress Scheme in the first paragraph. I would like to ask two questions. How long did it take to provide the information requested by the 904 applicants? How long did it take to provide the information requested in the 622 priority applications?

Hon SUE ELLERY: Honourable member, I am not sure we have got the time, so the best thing I can do is take that as supplementary.

Hon ALISON XAMON: Happy to do that.

[Supplementary Information No C14.]

The CHAIR: That concludes our hearing. On behalf the committee, I thank you for your attendance today. I remind members that due to time constraints, the electronic lodgement system will not be reopened for additional questions this year.

For witnesses, I advise that the committee will forward the transcript of evidence, which includes the questions you have taken on notice highlighted on the transcript, as soon as possible after the hearing. Responses to questions on notice are due by 5.00 pm, 10 working days after receipt. Should you be unable to meet the due date, please advise the committee in writing as soon as possible before the due date. The advice is to include specific reasons as to why the due date cannot be met.

I ask that you promptly leave the chamber for COVID-19 cleaning between sessions. Once again, I thank you for your attendance today.

Hearing concluded at 3.00 pm
