

CHILDREN — WELFARE

Motion

HON NICK GOIRAN (South Metropolitan) [10.11 am] — without notice: I move —

That this house —

- (a) expresses its grave concern that the McGowan Labor government's failure to deliver for the children of Western Australia has left them abandoned in unsafe environments;
- (b) particularly notes —
 - (i) a concerning spike in the number of children in the care of our child protection system who have been reported to police as a missing person;
 - (ii) the Premier's displays of arrogance and contempt towards the concerns expressed by experts following the crisis at Banksia Hill Detention Centre;
 - (iii) the disproportionate impact on children of the government's lack of competent action on housing and homelessness; and
- (c) calls on the Premier to ensure that his pending cabinet reshuffle not only removes any unreliable, confused or confusing ministers, but also introduces new ministers who will ensure that the principle of the best interests of children is not treated like a slogan for media attention but instead as a paramount principle that must be delivered upon.

It has been said many times before that the Parliament has an important role to play in holding the executive to account. That principle applies irrespective of who is the executive of the day. In particular, the opposition has a unique role to play in holding the government to account.

I start our consideration of this motion this morning by advising members that at the end of last week, I confess that I felt rather flat about the state of our collective efforts as a Parliament to hold the government to account. Members will recall that last week, we spent two full days on Wednesday and Thursday considering the reforms to the working with children checks. At the end of last week, I had left the two full days of debate with an offer or a request—a plea—to the government that it consider an amendment that would have otherwise allowed seven Western Australian serious offenders to be able to, in perpetuity, take advantage of an old system that we as a Parliament are saying no longer has relevance in 2022 and beyond. Specifically, it is the view of this Parliament that people like child murderers and the like should no longer be able to work with children, yet we were left with a situation at the end of last week in which it appeared that the executive was willing to allow seven Western Australians to continue to be able to take advantage of that old system. I confess that at the end of last week, I personally felt very flat about that. It was apparent to me from my observation of their body language at the time that the minister and the parliamentary secretary who were representing on that matter were also uncomfortable with this situation. I remember that over the weekend I reported this episode to my family and said to them that sometimes it feels like we are simply wasting our time as a Parliament trying to hold a government to account when something so obvious seems incapable of breaking through.

I am pleased to say that although I felt flat at the end of last week and over the weekend about that series of events, this week has somewhat renewed my faith in our system. I start today's motion by acknowledging the change of view within government. That particular issue that I have just outlined and recounted from last week appears to now be capable of being resolved, and there is a desire by both sides of the chamber to address this when that bill next comes before the house and to remove that obvious inconsistency—that obviously untenable situation that might have seen, for example, a child murderer able to continue to take advantage of the system into the future.

I recount that story to say that the role of the opposition is not only to hold the government to account, but to do so persistently. With persistent advocacy, eventually, there is change. That draws me to the first limb in the motion, in which we say that we will particularly be taking note this morning of that concerning spike in the number of children in the care of our child protection section who have been reported to police as a missing person. The history of this matter is persistent questions from the opposition. To the best of my knowledge, the first time I started asking about this matter in this Parliament was more than a year ago, on 8 September last year, when I asked the then Parliamentary Secretary to the Minister for Child Protection, Hon Samantha Rowe, how many children are in the care of the CEO whose whereabouts are currently unknown. The response that was provided on 8 September last year was that as at 31 August last year, there were 11 children in the care of the CEO whose whereabouts and/or living arrangements were recorded as unknown.

Our child protection system has moved on since 8 September last year. It has been enhanced because of these questions. When I asked a further question of the parliamentary secretary the following day, 9 September, asking

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why the response that was provided to us only gave us information to 31 August and not the day before, 7 September, I was told by Hon Samantha Rowe that the Department of Communities provides child protection data at the end of each month to align with internal reporting and the provision of data from other business areas. The translation for that is that more than a year ago, our child protection system in Western Australia simply did not know how many children were missing at any given time. Let us remember that there are more than 5 000 children in Western Australia whose personal circumstances are so bad, they are so at risk, that the government of the day, irrespective of whether it is Liberal or Labor, intervenes into that situation and takes those children into care because their personal circumstances are so fraught. One would think it was reasonable to expect that the government, as the stand-in parent in that situation, would know where its children are. Any Western Australian parent whose child had gone missing would be stressed beyond belief. We can reasonably expect that the government, as the stand-in parent, would know where its children are on any given day, and not as a monthly statistic reported from time to time when asked by the opposition.

That was the state of play in September last year. I am pleased to report that, because of the persistent questions, that has now changed. If, on any given day, a member of Parliament wants to ask the executive how many children are in the care of the CEO whose whereabouts are unknown, they will get a response from the government. That is a change that has occurred in the last 12 months. That is an improvement to our system. That is a good thing, and that is why it is important that the opposition continues to persistently pursue these matters.

As good as the change is that has occurred over the last 12 months, a significant issue still remains, and that is that members will have seen that the language used in the responses last year was that the whereabouts of the children were unknown. Things have moved on since then and the department now uses the language of “unknown—in contact” for a child’s placement type. The translation for that is that the department does not actually know where the child is, but it does have some form of communication with the child. For the purposes of the limited time that we have this morning, I will park that cohort to one side. Much can be said about that, but, in brief, at least there is communication and contact between what I have described as the stand-in parent, which is the government, and the child who has gone missing. I want to park that cohort, as important as it is, to one side for debate on another day. This morning it is the cohort that is literally missing that I want to speak of.

Yesterday, the Standing Committee on Estimates and Financial Operations had an annual report hearing with the Department of Communities. It is the only committee in this Parliament not controlled by the government. In that annual report hearing, it became apparent that of the five children in the care of the state who were known to be missing last Tuesday when I asked the question, three had been found. That is very pleasing. As of yesterday’s hearing, two were still missing. Two children in the care of the state who had been missing at least since the previous week remain lost. We were told yesterday that a third child has now gone missing. Unless something has happened in the last 24 hours—perhaps a member of government can bring us up to speed on the whereabouts or the state of those three children; have they been found?—I understand that three children in the care of the state are currently missing.

I hasten to add at this time that if a child in the care of the state goes missing, it is not automatically the fault of the department and the government. As members will be aware, sometimes children, particularly teenagers, vote with their feet and they just leave, because they have the liberty to do so. When I persistently ask the government what is happening with these children, it is not intended at first instance to be a criticism automatically of the government and the department, but I do expect that the government will treat that situation as an emergency. If a child goes missing because they have absconded of their own will or liberty, or for any other reason, I expect the government, as the stand-in parent, to treat the situation as an emergency. We were told at yesterday’s meeting by representatives of the Department of Communities that they do treat this matter very seriously, and I have no reason to suggest that they do not. I do not have any evidence before me that suggests that they do not treat it as an emergency. I was incredibly disappointed last year when they seemed to be treating the situation as a monthly reporting statistic. I am pleased to see that the system has improved significantly and that we now have daily data, but is it really true that the government treats these missing children as an emergency?

I draw to members’ attention the response that was provided to me by police on 16 November this year. Last week, I asked the Minister for Police —

Do WA police continue to search for a child in the care of the CEO of the Department of Communities when informed by the department that the child’s status has changed from a placement type of missing person to “unknown—in contact”?

The response provided by Hon Stephen Dawson, who represents the Minister for Police, was —

The Western Australia Police Force advises that the terms “missing child” and “unknown—in contact” are used by the Department of Communities and are not used by the WA Police Force.

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I pause there to note that we already have a disconnect between the Department of Communities, the stand-in parent, and the Western Australia Police Force. They are using two different types of terminology about this emergency situation when a child goes missing. I continue with the answer that was provided last week —

All absconders from the care of the Department of Child Protection and Family Services —

Again I pause to note that WA police refer to these children who have gone missing as “absconders”. Is it the case that every child in the care of the state could reasonably be described as an “absconder”? Might there be some other more charitable term to use for a vulnerable child in the situation that they find themselves in? Nevertheless, WA police refer to them all as “absconders”. It goes on to say —

—that is an outdated name; —

Hon Stephen Dawson was referring to the Western Australia Police Force’s erroneous reference to the department —

it is the Department of Communities—will be classed as either high risk or low risk.

In other words, when WA police receive this information about children in the care of the state who are missing, they classify these children as either high risk or low risk. I will park that to one side because we do not have the time today to analyse what the police do with what they describe as the low-risk children. What do they do with the high-risk children? Remember, my submission to honourable members this morning is: does the government treat these missing children as an emergency situation? This is how WA police treat the high-risk ones. The answer that was provided last week says —

If high risk, police will remain in regular contact with the department or Crisis Care after hours, which will conduct active inquiries to locate the child. Police resources are to be allocated as circumstances dictate.

Does anything in that response give members the impression that it is treated as an emergency? It seems to me that the opposite is true. Even though it is a high-risk situation, the attitude is: “We’ll just wait and continue to be in contact with the Department of Communities and it will continue to conduct active inquiries.” No, that is not good enough. If one of our children in Western Australia goes missing, people need to drop things. I remind members—they will all recall—how, as a community, everybody felt great passion when little Cleo was lost last year and there was a great celebration when she was found. That is the type of community effort and passion that I expect would occur any time a child goes missing. It is not apparent to me from this answer that that is the case.

What is happening with these three missing children at the moment? I make no apologies for persistently raising it. As a person who has been asking these questions persistently for more than a year, I am concerned, as it appears to me that there has been a significant spike recently. When I have asked the government in the past these questions about the number of children in Western Australia who have literally gone missing and then been reported to police, the answers that have generally come back have said that there is one. At any given time, one child in the care of the state—not necessarily the same one, of course—has been reported missing to the Western Australia Police Force. That is distressing. To the extent that I can say something about that, at least it is one child and not more. On one occasion I asked that question, and, pleasingly, the answer was zero, which should be our aspiration. On another occasion I asked that question, and the answer was two. Never before have I received the answer that there were five children missing, which is the answer I received last Tuesday. I am still waiting for an explanation from the government on why there was that spike. Is there a reasonable, rational and plausible explanation for why suddenly last Tuesday the answer was that five children were reported missing? Did a particular episode or incident occur and the government has not provided that information? As I said, pleasingly, we have been told that three of those five children have since been found.

This is particularly concerning above all when we look at what has happened in Victoria recently. The Victorian Commission for Children and Young People undertook an inquiry into this matter and its report *Out of sight: Systemic inquiry into children and young people who are absent or missing from residential care* states that, shockingly, 37 per cent of absent client incidents over the inquiry period—as it is referred to—referred to sexual exploitation. If a child is missing, it should be treated as an emergency and we should be concerned about that, but what happens to them in the intervening period? For example, what happened to the three who have been found since they were reported missing last week, which is a point to celebrate, during that period? Is it the case that 37 per cent of children who go missing in Western Australia are subject to sexual exploitation? That is why this issue is so important. Although the government will perhaps bristle at the suggestion in the motion that the children of Western Australia have been left abandoned in unsafe environments, at the very least, that is the impression, the perception, that is given if we do not have a system that treats these missing children as an emergency.

I do not have sufficient time to further discuss this matter; otherwise, I would have unpacked some of the reasons why children in care go missing, not the least of which is the excessive workloads experienced by child protection workers in Western Australia. That will have to be discussed on another day. I will leave it to Hon Peter Collier to

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tackle the second limb of the motion dealing with the crisis at Banksia Hill Detention Centre and to Hon Steve Martin to unpack the disproportionate impact on children of the government's lack of competent action on housing and homelessness. I ask members to contribute to this motion in the spirit in which it is intended so that, at the end of the day, we get better outcomes for Western Australian children.

HON PETER COLLIER (North Metropolitan) [10.32 am]: I stand to support this motion. I take on board Hon Nick Goiran's comment in his concluding statement about the spirit of the motion. The spirit of the motion is ideally to get to a point at which collectively as a Parliament we can do what is best for children. For Banksia Hill Detention Centre, that is absolutely essential. I am very pleased that at last some dialogue took place yesterday between the Premier and community representatives who have been very, very critical of the government's attitude towards Banksia Hill. I would like to think that as a result of those preliminary discussions there will be some positive outcomes for those marginalised juveniles at Banksia Hill and Casuarina Prison because what is going on there at the moment is subhuman. It is unacceptable. It should not have taken this long to get the Premier to the table.

Ideally, Banksia Hill is a rehabilitation centre. There are two aspects of Banksia Hill. It is open to male and female juveniles between the ages of 10 and 17 years. The whole point of the exercise is, first of all, to isolate particular juveniles who have either broken the law or acted inappropriately in the community. Therefore, to a degree, there is a punitive element to Banksia Hill. But fundamentally the rehabilitation component is essential. That is what should happen at Banksia Hill. The mindset needs to shift from punitive action to rehabilitation. Ideally, we want juveniles who leave Banksia Hill to be better placed than when they went in to deal with the challenges they face, which are extraordinary, and with their resilience and self-esteem enhanced, not diminished. That is what should happen, but that has not been happening, unfortunately. Do not take my word for it, take the word of literally dozens of eminent Western Australians. For example, the Inspector of Custodial Services said, and in his report earlier this year also stated —

Our report is critical of the conditions at BHDC and for many it will be difficult reading. BHDC is not fit for purpose as a youth detention centre. It looks like, and in many respects runs like, an adult prison. Even to the point where there are adult prison officers stationed there to assist in maintaining order and security.

The Inspector of Custodial Services followed up a week ago, on 14 November 2022, with an opinion piece that says, in part —

For the past decade Banksia Hill has lurched from crisis to crisis while attempting to function as a catch-all for every young person who finds themselves in youth detention.

It's time to face facts: the centre is failing. Failing in its duty of care to detained young people. Failing the State of WA.

It needs to change and be reformed.

Also, the comments of Richard Harding, a former Inspector of Custodial Services, are referred to in the paper —

Another former WA prisons inspector has slammed the State for its “cruel, inhuman and degrading” treatment of Banksia Hill detainees, accusing Premier Mark McGowan of victim-blaming and repressing the issue.

Richard Harding, pictured, who was the inspector of custodial services between 2000 and 2008, has described the detention centre as “a disgrace” and called for the juvenile justice and detention system to be reformed.

“The regime breaches international and domestic legislative standards ...

I can go to numerous other comments but I simply do not have time. Suffice to say, that in itself is compelling. We need to look at the youths within those facilities and ask: are they coming out more resilient and with enhanced self-esteem? No. Let us have a look at the figures. In May this year, I asked a question about self-harm and suicide in Banksia Hill Detention Centre. The figures are excruciating. In 2019, 147 juveniles in Banksia Hill Detention Centre either attempted suicide or engaged in self-harm. In 2021, last year, 351 juveniles attempted suicide or engaged in self-harm. It is not working. These juveniles should not be thinking that the only way out for them is to take their own lives. We are doing something fundamentally wrong if we think that is the answer. If we honestly think that we can park the situation for political purposes and just say we have to look after the safety of the community, we have lost the plot. Yes, we do have to look after the safety of the community, but the best way to do that is to make these juveniles better individuals when they leave the facility than when they went in. We are not doing that, members. Last year, 351 juveniles attempted self-harm.

This year, I asked for an update on self-harm and suicide at Banksia Hill. This year thus far, over 100 juveniles in Banksia Hill have attempted self-harm. It has not improved. It has remained the same. We obviously have a cultural issue within that facility. These juveniles are not coming out more enhanced than when they went in. In addition to that,

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there is a revolving door into adult prison. I asked how many of these juveniles end up in adult prison. Members, the answer was compelling. This year alone, it was over 1 000. I draw members' attention to these figures because they are compelling. I asked how many members of the adult prison population had been in Banksia Hill previously. Currently, at Acacia prison, there are 233; Albany Regional Prison, 89; and Bandyup Women's Prison, 26. These are massive proportions of the total adult population—Bunbury Regional Prison, 40; Casuarina, 298; Hakea, 214; Roebourne, 44; and West Kimberley, 32. What is even more compelling is that a significant proportion of the juveniles who then go on to our adult prisons are Aboriginal. They are our First Australians. Over two-thirds of those who go to Banksia Hill are Aboriginal juveniles, and a significant proportion of them go straight through the revolving door into adult prison. Really, what are we doing for them? We want to assist them to have a meaningful life and to make a valuable and positive contribution to our society and our community, but we are not doing anything at this stage. It is so disappointing.

When there was a lot of outcry, the minister took a group of media into Banksia Hill Detention Centre and said, "Look at the damage they have done! Isn't this terrible? We're going to have to shunt them off to Casuarina because of that." Rather than trying to do something meaningful, he took the big stick, punitive approach. What is Joe Average out there going to say? "Oh, the poor things should not be going there." Of course not. The minister knew what he was doing. People will say, "They get what they deserve. Shunt them off to an adult prison. That's what we'll do." Do we think that will help them? Do we honestly think that will assist them to develop their self-esteem and resilience? Of course not! It will just ensure that the numbers going into adult prison, which I read out earlier, will further increase in the years ahead.

Let us see how effective moving them was. They have been there only since 20 July. I asked a question last week: how many of the juveniles who have gone from Banksia Hill to Casuarina have attempted suicide or self-harm? Of the 33 distinct people who were moved since 20 July, which is just a matter of months, 18—over half—have attempted suicide or self-harm. Seven have attempted suicide. That is 18 out of 33. Does the minister honestly think that was a good thing to do?

Yes, of course, the corrective services portfolio is not a vote winner. It is really not. Ideally, the Minister for Regional Development will comment on this. I say to members opposite that they are meant to represent these people, just the same as we are, but they are now in a position of governance.

I take on board what was announced yesterday about the on-country diversionary program. I applaud that; however, we are dealing with 16 juveniles, and that will not be fully operational until 2026. In the interim, we have hundreds and hundreds of juveniles who are attempting to take their own lives. We do not want to see one life lost here. We do not. As a former educator and a former Minister for Aboriginal Affairs, I implore you. Collectively, we have a massive issue here. We must look after the welfare of these juveniles because, ultimately, we want them to make a valuable contribution to our society.

HON STEVE MARTIN (Agricultural) [10.43 am]: I rise to support the excellent motion brought by my colleague Hon Nick Goiran. I admire his passion about the protection of children; his passion has been obvious in this place. I share his views that the last couple of days and weeks spent on the committee stage of the Working with Children (Criminal Record Checking) Amendment Bill 2022 may have resulted in—as it seems to me from my time in the chair while the bill was being discussed—an obvious amendment that will hopefully make the system much more workable and more appropriate for the vulnerable people it is designed to protect.

I will concentrate on the housing and homelessness issue of this motion. I had not discussed this with Hon Peter Collier before I made my notes, but I note his comments about the "progression", which is absolutely not the right word, or movement from childhood detention to the adult prison population. A similar very alarming correlation happens in homelessness and housing. The numbers are staggeringly bad. If someone experiences homelessness as a child or young person, the odds of them being homeless in adult life are alarmingly high. That is why it is important to do something about this problem early.

Quickly, I will relay to the house some of the numbers behind the housing crisis that is facing our state and outline some of the impacts on young people. At the end of November, 33 759 Western Australians were on the public housing waitlist. Of those, 8 884 were on the priority list. Obviously, not everyone on the list is homeless, but for one reason or another, 33 759 Western Australians, particularly people on the priority list, are seeking more suitable housing. Members would all be aware that, at the same time, the private rental market is very, very tight. Vacancy rates are low. In June 2020, vacancy rates were about 2.5 per cent, which is a tight market. In recent months, rates have dipped well below one per cent, so it is impossible to find a private rental, and that is adding to people's housing stress. It is a competitive rental market, and the social housing waitlist is enormous.

By the way, we need to get over the stereotype some of us might have in our minds of the person sleeping in the mall outside the shopping centres. Homelessness is much more than that; it is right across the state. It is difficult to measure people sleeping in their cars, couch surfing or rough sleeping, but it is much more pervasive than we see in the CBD. It is difficult to get accurate data and numbers, which rely on the by-name list and the census, which

can obviously be years old. The homelessness numbers have come down in the last couple of years, which is good, but there are still about 800 homeless people. However, the youth numbers have remained stubbornly high; in fact, they are more than 20 per cent higher than they were in January 2021, which is a concern.

I would like to break the cohort of homeless young people into two basic groups—one group lives with one or both parents, relatives, grandparents or friends and has difficulty securing housing with those family members, and the other group is the much more vulnerable young people who have been forced to abandon the family home for a variety of reasons. Those reasons are complex, such as mental health, violence at home, and drug and alcohol issues. A young person might face a whole range of issues that cause them to be sleeping rough.

I am sure other members have had desperate calls to their electorate offices from parents with nowhere to sleep and nowhere to put the family that night. What is foremost in those people's minds when they contact us is the welfare of their children. We will all sympathise and empathise with that concern. Last year, I was contacted by a mother in the south west of the state who was deeply concerned by the impact the situation was having on her children, one of whom was doing her ATAR exams. The family was stressed as they attempted to have clean clothes to go to school in, a full stomach and a good night's sleep, and the young person tried to do her ATAR exams while mum and dad were shifting from the back of the car to a tent on the beach to a caravan. Young people were suffering.

I will move on to the other group, who are basically abandoned. I am a long way from being an expert in this issue, but one person who does know what he is talking about is the executive officer from Perth Inner City Youth Services, Andrew Hall. He lives this every day. He has been doing this for decades, and he knows more about this topic than most of us. He made a point to me that all the issues around housing and homelessness are amplified for young people. If someone is on a salary of \$100 000 or \$70 000 and their cost of living and rent are rising, that is an issue; if someone is on a minimum wage or no wage and their rent is rising, it is a very serious issue. As we know, as parents or from the young people who we are aware of, the teenage or young adulthood stage is when mental health issues often present. Combining that with housing concerns and homelessness, it is a very tough place for those young people to be in.

I will go back to the point I made about the impact on young people and how it is long lasting if it is not addressed. This is from the government's own strategy, *All paths lead to a home: Western Australia's 10-year strategy on homelessness 2020–2030*. It states —

Research shows a large proportion of people who go on to become chronically homeless (defined as being consistently homelessness for more than six months) had their first experience of homelessness before they were 18.

I repeat “before they were 18”. It is obviously vitally important that we do everything we can to help people at that stage. Early intervention is obviously better than a cure at a later stage.

Let us have a quick look at what the government has done on this front. We keep hearing from the Minister for Housing, John Carey, about the \$2.4 billion that is going to address housing and homelessness in this state. We hear about it over and over again. It is a very large number. We have seen the media releases and we saw another one this morning. Sadly, the social housing stock is about back to what it was when the government came into office six years ago.

The maintenance issue is still there. We all know where the boarded-up homes are. I was in Spalding in Geraldton the other day. Some of those homes are probably beyond repair. There are still boarded-up homes that were boarded up 18 months ago. There has been some progress there, to be fair. However, the maintenance issue with social housing stock certainly needs to be addressed not just in Spalding but also across the state. The private rental market seems to be in the too-hard basket. There does not appear to be any levers that government can pull there.

The Common Ground facility, which was the flagship homelessness project for this government, has been talked about for years and it is in the strategy. After a couple of years, the housing minister or the government knocked back the tender process and said it was a bit hard. Apparently, it is back out for tender either soon or before Christmas. Let us hope that it gets built. It is badly needed in East Perth and Mandurah. The short-stay accommodation in Geraldton has still not been built. It badly needs to be done.

Boorloo Bidee Mia is apparently working well and is doing some good stuff. When it was announced, it was promoted as a 100-bed facility. Apparently, every one of those hundred beds was badly needed to help solve this issue. It is working well, but its capacity appears to be capped at 60 to 65. I think we need more investment in that area. I certainly do not underestimate the challenges facing the government, but we badly need to do everything we can to address homelessness and housing stress for young people because, as we have heard, that can keep them out of homelessness in the longer term.

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HON SOPHIA MOERMOND (South West) [10.53 am]: I thank Hon Nick Goiran for this timely motion. When looking at children, we see that they do not set out to be criminals. Trauma, intergenerational or otherwise, leads to antisocial behaviours. Adding further trauma through inappropriate and cruel management will not fix the problem. Unfortunately, crisis care is being used here instead of fixing the contributing factors. All those contributing factors are due to a lack of resources, be it money, housing, schooling, education levels, care, counselling, food et cetera. They are all problems relating to a lack of resources and are indicative of a resource distribution problem, not a lack thereof. That is a failure in governance.

HON WILSON TUCKER (Mining and Pastoral) [10.54 am]: I thank Hon Nick Goiran for raising this motion today. I would like to spend some time focusing on the Banksia Hill Detention Centre aspect of the motion. I want to echo some concerns and suggestions that were raised by the Telethon Kids Institute on improving ongoing care for children in detention.

Recently, I toured Banksia Hill with other members of the crossbench. It was a day when the topic of daylight savings was getting quite a lot of traction in the media, so, unfortunately, I did not spend the full amount of time there. Afterwards, I had the privilege of meeting with Dr Hayley Passmore, who is a lead researcher at the Telethon Kids Institute. She was also a Young Australian of the Year nominee. Back in 2018, she worked on the Banksia Hill Project, which was a landmark study conducted by Telethon Kids at Banksia Hill Detention Centre. The study assessed and diagnosed young people within the youth custodial facility for foetal alcohol spectrum disorder and other neurological disabilities. This landmark study found that Banksia Hill Detention Centre had the highest prevalence of FADS in any justice setting in the world. Of the young people detained in Banksia Hill, 36 per cent were diagnosed with FADS.

Hon Dan Caddy: FASD.

Hon WILSON TUCKER: Yes, FASD. Only two of those people had been diagnosed prior to the study. Prior to 2018, not much was done in terms of diagnosing the children and identifying that they had those neurological disabilities. According to research, “Alarming, 9 in 10 young people had at least one severe neurodevelopmental impairment.” It was a massive cohort of 99 kids in detention with neurodevelopmental impairments, which was the biggest anywhere in the world. As a result of that landmark study being conducted, the Telethon Kids Institute created what is called Reframe Training. It was developed in WA at Banksia Hill. The website states —

Reframe Training is an evidence-based program developed by researchers at the Telethon Kids Institute which aims to educate frontline professionals to recognise and understand neurodisability in young people, reframe their behaviours, and respond appropriately to their needs.

The training is really an acknowledgement that there needs to be other training and practices in place to deal with these children. It goes on to state —

The types of impairments identified in the Banksia Hill study suggest many of these young people do not have critical cognitive abilities that allow them to discern right from wrong, and to learn from experience. Without understanding this, staff interacting with these young people may misinterpret their behaviours as wilful noncompliance, rather than as symptoms of permanent, organic brain damage. As such, it is vitally important that all frontline professionals engaging with vulnerable populations of children and young people are aware of neurodisabilities and related behaviours, and are equipped with strategies to help them support and engage with affected young people.

Reframe Training is being offered and is available to other jurisdictions. It was developed right here in WA, but it is purpose-built to be expanded out. Other jurisdictions have actually taken up the call and put in place Reframe Training. As far as I am aware, we do not have Reframe Training provided in WA on an ongoing basis. Telethon Kids fundamentally cares about the wellbeing of these children, and has really tried to come to the table to meet WA halfway and provide the training in an ongoing manner. As far as I am aware —

Hon Alannah MacTiernan: And you are saying it is happening in Banksia Hill?

Hon WILSON TUCKER: I am saying that it was developed in Banksia Hill, but it is not being provided to these children in an ongoing manner.

Back in September, I was made aware that the director of the Telethon Kids Institute, Professor Jonathan Carapetis, AM, and head of Aboriginal health research, Glenn Pearson, wrote to Premier Mark McGowan, and included Minister Bill Johnston, MLA, in the communication. It proposed that the Department of Justice could work with the Telethon Kids Institute to create a youth justice task force to address unmet health needs. In September, Telethon Kids reached out and called for a youth justice task force to be created to meet some of the needs that it had identified.

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We know that some of the children going into detention have pathways to be diagnosed, but there are gaps in the diagnosis for those children. The landmark study on that issue occurred in 2018, but there has not been enough ongoing assessment since then to support these children, and the Telethon Kids Institute has raised that there are certainly unmet needs. It seemed that not much happened after September, until the media reports. It has taken a lot of media emphasis to get this task force off the ground. Hopefully, as a result of this motion today, we will start to see tangible outcomes from this task force and that the government will start to listen more seriously to the Telethon Kids Institute, which has the best interests of these young kids at heart.

HON ALANNAH MacTIERNAN (South West — Minister for Regional Development) [11.00 am]: I think it is important that this motion has come forward today, as we need to deal with these issues. I am not sure that the way in which the motion was expressed lends itself to a rational exegesis of these complex issues, but I will park some of the inflammatory language to one side and get on and try to respond to a number of these issues. I frame this by saying that we are dealing with immensely complex issues. Governments and society have continued to struggle with how to deal with this. I urge Hon Sophia Moermond to read Noel Pearson's Boyer lectures. Noel Pearson, of course, is a leading commentator—he is more than a commentator! He is someone who is actually trying to actively repair damage and rebuild a sense of agency in Aboriginal communities. He certainly makes the point that just chucking more and more services at these communities is not the answer. I urge the member to read particularly the third lecture, which I think was published on Sunday.

I may not have time to go through all the commentary from members. First of all, I refer to the issue of missing children. These children are up to the age of 18. The children who go missing are generally not of the age of Cleo Smith; they are in fact older children who have made a decision. Anyone who has had teenage children knows their complexity, even in a regular household. Anyone who has knowledge of some of the complexities of the foster relationship will know that it often becomes a challenging relationship. Hon Nick Goiran provided some figures. There were five children missing at one time, and then there were two, and then there were three. Out of a cohort of 5 000 children, that is not unusual. I looked at some of the figures from when similar questions were asked in 2012–13, when 48 children were missing. In the year before that, it was 37, and then, the next year, it was 27.

Hon Nick Goiran: With respect, they were not missing and reported to police; that would be whereabouts unknown.

Hon ALANNAH MacTIERNAN: No, they were reported missing. Those figures were of children who were reported missing. The point is that there is an issue. The suggestion that this is not taken seriously is entirely unreasonable. That certainly does not represent the attitude of Communities or police. The member seemed to take some grievance with the fact that they are called absconders. Maybe that term is a bit old-fashioned, but it would be very wrong to suggest that just because that term has been used, it somehow or other indicates that they are not acting with all seriousness to track down these children. A police report is made when a child is missing and there is daily contact with the police. I am trying to find my notes on this one. Child protection caseworkers not only liaise with the police on a daily basis, but also deploy their own efforts to find these kids. They reach out to family, social media, the school and so on. Sometimes, a family will not necessarily be forthcoming with a lot of data because they, themselves, may not have wanted the child to be taken into care. These are complex matters. Of course it is, and has been, an issue. This issue was certainly reported on by the previous government.

What has our government done to really help? We cannot wave a magic wand, but we can make sure that the agencies are properly resourced. The McGowan government has invested an additional \$114 million into child protection services, and supporting services, to protect those children and steer at-risk children away from the justice system. More than \$75 million was allocated in our last budget to frontline staff, including \$36.7 million to deliver and enhance child protection services, with 36 new child protection workers to boost the front line. This was on top of an additional \$6.1 million in a previous budget to create a new Midland care team. The new care team is the ninth in the district and comprises 14 additional staff. A new position of chief practitioner has been appointed to oversee the specialist child protection unit.

As a result, we are seeing some reduction in the number of children in care. In 2021, we saw the first reduction in the number of children in care since 1997, and the first reduction in the number of Aboriginal children in care. Encouragingly, this trend has continued into this reporting year, with the number of Aboriginal children in care reducing by 3.3 per cent and non-Aboriginal children in care reducing by 6.6 per cent. The investment in those services is beginning to show that we can go further. These are very big societal problems that reflect generations of challenges. The government has clearly been putting more resources into those areas. We are never going to be in a position in which there will not be any challenges, but, for the first time, we are getting the number of children in care down.

I want to address some of the Banksia Hill Detention Centre issues. Clearly, again, we know that there is a real challenge there. We have to remember that 90 per cent of young offenders are dealt with in the community and that only 10 per cent end up in Banksia Hill. Those offenders are young people with a history of very serious offending

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and, often, very challenging behaviours. Hon Peter Collier had a great deal of concern about those 18 children, the highly disruptive offenders, being taken to Casuarina Prison. It is really important to note that this was a specialist unit within Casuarina and the works that are going on in Casuarina will allow those young people to be brought back in once an enhanced intensive facility has been put in place. I do not think the member should forget that in 2013, when he was the Minister for Aboriginal Affairs and certainly in the cabinet, some 70 young people were put into Hakea Prison. That was not in any specialist unit; they were just mixed into Hakea Prison. I think the member needs to step back and look at what he felt was appropriate at that time.

We have been investing. It was potentially a mistake under the previous government to close Rangeview Remand Centre and put the remand and sentenced young offenders into the one facility, but we have been investing \$21.6 million for critical infrastructure works at Banksia Hill Detention Centre. A considerable number of those have been completed. We have also spent \$25.1 million to improve services in detention. I want to also emphasise the other things we are doing to try to stop kids getting onto this pathway. The Target 120 program, which has been an initiative of our government since day one, is having an impact. With 216 young people having participated in this over the last two and a half years, we have seen a 65 per cent reduction in the expected rate of engagement with the criminal justice system. The program identifies kids from 10 to 14 years of age who are at risk. We work intensively with those young people in an early intervention program that is designed to keep them out of any interaction with the criminal justice system. Recently, as part of our Kimberley and Western Australia response, we expanded that program into a whole range of towns across the Kimberley, and the Broome one has been up and running for the last three or four months. On all accounts, that is paying some dividend as well. I have to say that we are trying to keep kids out of the offending system and we have had some success in that regard.

The Marlamanu facility will hopefully next year be taking its first cohort. It should be up to full speed by 2024. Kids who are on remand will be given the opportunity to take this as a remand option in a program that is Aboriginal-led and developed closely and funded, of course, by government. The principles of hard work, skills development, cultural connection, and Aboriginal leadership and role models will be there to build those kids' resilience, help them reset and get themselves on to the path of self-reliance. We are also providing to communities the opportunity to develop a business case to take over empty residential facilities in Derby and Kununurra owned by the commonwealth so that we can take even younger children who are at risk and again, help provide them with a secure background to keep them out of the whole system.

HON MARTIN PRITCHARD (North Metropolitan) [11.15 am]: I was not going to make a contribution, but I feel compelled because the conversation has focused a fair bit on Banksia Hill Detention Centre. I have had some thoughts on that over a fair time, so I thought I would share them with members. I feel that most people in this chamber, and indeed in society, try to do the right thing and they have different ways of achieving the right thing. Generally, I think people try to do the right thing. I have some concerns with how the media and general population are demonising particularly the Corrective Services officers at Banksia Hill, the minister and indeed the Premier. I think that is wrong. They are all in a very difficult situation and the Premier has demonstrated that if people can bring forward practical solutions that can resolve this issue, no-one would be happier than him, me and I think anybody in this chamber.

It is a difficult situation. As I understand it, the reason the small group had to be segregated is that their disruption was so bad the other children in custody could not receive their education and the services they need. It created difficulties for them. They should not be the forgotten ones. I know the concentration has been on the ones who have been segregated. I am not happy about that. If there are ways in which we can improve that, everybody has the goodwill to try to do so. We should not demonise the corrections officers. They are in a very difficult situation.

In the past I have shared stories of my life and one of those was about my nephew. People who know me know that the most important thing to me is family; I will do anything for family. My immediate family and my extended family are my world. My nephew at a young age unfortunately got involved with ice and for years I tried to help him. As I got older and felt less able to protect my immediate family and my daughters, I had to cut ties with him just from the fear for me, my wife and my two kids. Even though he was young at the time, I think he was 16 years old, he scared the hell out of me. I can understand corrections officers feeling vulnerable. I know it may sound strange, but they have to treat these children in their care in the best way possible, while also putting themselves at risk. It is a difficult job and we should attribute more goodwill to the way that they are trying to achieve what they are trying to achieve. I ask people to think about that. I do not know anybody who wants retribution for those kids. I think everybody I know, on both sides of the chamber, would like to help those kids. How do we do it and how do we do it while we look after society in general, the other kids in detention and the corrections officers? If a practical suggestion came forward on how we can deal with this quickly and belatedly, I think everybody would take that on board. As I said, I do not think we should attribute negative thoughts to those who are trying to deal with it.

HON DR BRIAN WALKER (East Metropolitan) [11.19 am]: I had not intended to rise to speak on this motion, but Hon Martin Pritchard's words resonated, and I thank him for that. I do not know whether I am the only person

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in the current chamber who has had practical experience working in corrective services. For two years I was a medical officer and at one time I was the medical director at Hakea Prison. I came across quite a number of criminals, some of whom were majorly bad people and others who were very different. I can say from practical and personal experience that the people working in the system, for the most part, are hardworking and kind people who started their careers intending to help reform people and return them to society as rehabilitated citizens. There are a few bad eggs, of course, as there are in every profession, but the vast majority are there because they have a passion to help people, but we are seeing them vilified in the press as a body. As was pointed out, saying those nasty things does not help anyone at all. It makes the system even harder to manage.

We have a problem within the system. One of the problems is managing the progression to criminality. We are looking here in particular at the children involved at Banksia Hill Detention Centre and those who have been transferred to unit 18 in Casuarina Prison. We have to be careful when we say “child”. There is a vast difference between someone who is 14 years old and someone who is 18 years old. In fact, there is vast difference in the young male psyche of 14-year-olds and 18-year-olds. They can also be very different in size and shape. One thing we can absolutely say about all those who have gone to Banksia Hill is that their problems did not start just before they went to Banksia Hill. We need to address the fact that the reason they are there is due to a multitude of complex factors that have not been addressed. If we are to fix the problem, ideally, we ought to address the fundamental problem, which starts before the children are born. A society-wide response is required for what currently passes as normal. All we are doing is trying to fix the problems retrospectively. That does not work. It is expensive and damages all parts of society. It damages not only the criminals, but also those who are trying to help and who are suffering, and those who are thinking about suicide as a response to the pressures they are placed under. There is nothing about this that is good.

I can speak from personal experience of people coming through the system again and again who see no other way out and for whom crime is their profession, quite apart from those who are damaged. I noted—I have mentioned this a number of times, at least within the prison service—that the prison service is acting as a de facto institute for the mentally unwell, but we are not staffing it properly with people who can address these issues. Yes, there are psychologists and psychiatrists, but there are not enough of them. Even if there were enough of them, they would not have the resources needed to fix the problems the inmates will encounter when they get back into society. The problems are not fixable with the current approaches we are using. We must use different approaches. What are those different approaches? As Hon Martin Pritchard said, we do not know. We do not have a solution for that. This is a serious issue and we need to think seriously about not simply applying temporary fixes and going from fix to fix to identify what might work. That is useful in the interim, but we need to have a thoroughly deep dive into addressing the ultimate causes of what is going wrong in society. One of the major problems we face in society, apart from alcohol, which is easily abused and ultimately responsible for many of the problems we see in society, is the huge drug issue we have. Hon Martin Pritchard mentioned ice. Methamphetamine is a foul substance that results in behaviour that is just not tolerable. We also know that in societies where that has been decriminalised, that can now be addressed medically rather than criminally and we can begin to approach the issue with treatment rather than punishment, which does not do any good. There are occasional improvements, but, in general, as we can see in society, what we are doing just does not work. As legislators we must take that into account, because if we are to legislate more of the same failed policies, we will actually be responsible for the failure. In other words, without casting any aspersions or blaming any side, this is a society-wide issue. Speaking as a professional with practical experience on this issue, we need to look at things differently. Whoever is in charge, we need to look at how we spend our resources to fix the underlying problems and not simply apply temporary solutions to an unsolvable problem with the result being the same unenviable failure.

HON DARREN WEST (Agricultural — Parliamentary Secretary) [11.25 am]: I will be very brief, as I know other members want to speak to this motion. I think I understand the intention of the member’s motion and I acknowledge his very strong interest in the important area of government responsibility for protecting and caring for our children. But I think the motion misses the mark in its attack on the government. This is a very difficult and challenging area, and it has been for governments ever since there have been governments. This is not an area in which we can be completely proactive; we need to be reactive. The group that we are working with is constantly changing and there are different factors. Hon Brian Walker eloquently outlined some of those. I think that the motion gives a bit of an unintended backhanded swipe at the people who choose to make child protection their career. It is a heartbreaking and difficult area to work in. The people I have come across who work in this space are wonderful, caring and kind. They are some of the nicest people in our community who dedicate their working careers to protect and benefit children. I do not think the member intended that, but it could be interpreted that way.

I want to show my support for those who work in the sector and for the minister, Simone McGurk, who I know very well and who is a very kind and caring person. Nobody in government wants to see children suffer. No-one in any government wants to see children suffer. We put immense time, resources and care into this portfolio. Although

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things will go awry from time to time, that has been happening since time immemorial. We have all perhaps reflected on how we might have done things differently in individual cases. I am sure that happens every day. I do not think the Premier has been arrogant about Banksia Hill Detention Centre. It is a challenging situation that the government is managing as best it can. There is a need to separate sentenced young prisoners and those who are on remand, and the closure of Rangeview Remand Centre has made that difficult. That was done under the former government. The member has jumped up today and come out swinging at the government and the Premier in this challenging area. I understand his reasoning for wanting to highlight the issue and I acknowledge and respect that. This is something that the member has always been consistent about, but his motion misses the mark slightly. We must all work together in the area of child protection. An old saying is that it takes a village to raise a child, which is very true. We could always do better in this area and constructive criticism is always useful. Good suggestions and ideas are always helpful.

I again acknowledge the minister, the Premier and all the people working in this challenging environment. I wish them well. Keep doing what you are doing. The job market is overheated and it is hard to find staff, especially in difficult areas. Keep up the good work. The government supports you. I hope that this motion is taken by those who work in the sector in the way it is intended. I wish everyone in the sector well and they have the government's support.

HON PETER FOSTER (Mining and Pastoral) [11.28 am]: I also had not intended to talk about this motion today. I am, of course, speaking in opposition to the motion because I do not think it is a very good motion. One of the reasons that I wanted to speak is that I am a former child protection worker. I have worked in the sector. I worked in it for three years. I have a very real and very lived experience in dealing with children whose whereabouts were unknown. I want to bring a little bit of reality to the discussion today. In my inaugural speech, I talked about how I worked as a child protection case support officer in Tom Price. I was in the Pilbara dealing with a large number of children from not only our Indigenous communities, but also our non-Indigenous communities. I want to highlight that because there seems to be a perception that it is all Indigenous kids, and it clearly is not. There is a high representation of Indigenous children overall, but that was definitely not the case for us in Tom Price. There were multiple reasons why a child would run away from their parents. Often there would be drinking or drug taking at home, or they were just not happy with something that their parents had told them, so off they went. As a child protection worker myself, it was quite a scary time. I can reassure Hon Nick Goiran that I did treat it very urgently. It was an emergency for me personally, and I spent a lot of time driving around Tom Price, sometimes in the evening, knocking on doors, working quite closely with the police and with Maz and her team at the Tom Price Youth Support Association, which is our youth centre in Tom Price. We would drive around and knock on doors; we would check the parks; we would even go up to the mining camps, because sometimes kids would hang out there. Sometimes it took a couple of days, but we did find those children.

I want to give that lived experience, because child protection workers work very, very hard. I know that people who I work with across the Pilbara work very, very hard. A lot of us work on weekends, because children do not just go missing between the hours of nine to five on Monday to Friday. Often it happens at weekends. In some of our Indigenous communities, often the children are not actually lost; they are just staying with another family member. When the child protection worker knocks at the door of the house where they think the child is, the child is not there. They ask around, no-one knows where the child is, so, of course, we have to record it; little do we know that the child is just a couple of houses further down, sleeping on the lounge.

We need a bit of reality to this discussion. I agree with the comments the Minister for Regional Development made about it being a complex issue. We work very, very hard. Until I was elected to this place, I worked very, very hard making sure that for all the cases I and my colleagues in my office were responsible for, we had eyes on our children as often as we could, every single day. I think our government is doing a fantastic job. I want to speak in opposition of this motion. I do not think it is a very fair motion. It sounded as though some of the opposition members were trying to tone down their contributions a bit. I want to recognise that we have great workers in this sector. They will continue to do a great job into the future as well.

Motion lapsed, pursuant to standing orders.