

CHILD PROTECTION — OUT-OF-HOME CARE REFORMS

Grievance

MS L. METTAM (Vasse — Leader of the Liberal Party) [9.31 am]: My grievance is to the Minister for Community Services, and I thank the minister for taking my grievance on out-of-home care reforms and the impact they will have on the stability of an extremely vulnerable sector of our community. I would like to acknowledge Anita Peiris, CEO of out-of-home care provider Plan and Grow, and the representatives of other similar organisations affected by this decision who are in the public gallery today.

As the minister is no doubt aware, since 2016 the Department of Communities has embarked on a reform agenda of out-of-home care services referring to care arrangements for children outside their family home that includes after-hours placement, district care, foster care, group homes and transitional high-needs care. A key focus of the *Building a Better Future: Out-of-home care reform in Western Australia* from 2016 was the acknowledgement of the growing rate of Aboriginal children entering out-of-home care and a commitment by the community services sector and the Department of Communities to end this trajectory. Further, the recently released *Out of Home Care Transition Guide: Children, Young People and Carers* from 2023 states that the key priorities of the sector-wide reform include greater stability for children entering care. Given this objective, it was extremely distressing for a number of existing providers last month when they were advised their applications to the Department of Communities to transition as a provider under the out-of-home care reforms were unsuccessful. I am advised that from the approximately 45 existing providers, only 16 out-of-home care providers have been awarded contracts, and the children in the care of unsuccessful agencies will have to transition to those approved providers.

One of those unsuccessful agencies was Plan and Grow, a well-established NDIS-registered service provider, that has been a partner agency with the Department of Communities and department for child protection and family support since 2019. Plan and Grow provides out-of-home care and foster care for children with severe behavioural issues, usually as a result of early childhood trauma including physical and sexual abuse and fetal alcohol spectrum disorders. Its objective is to provide respectful, competent and culturally appropriate services with a collaborative and therapeutic approach to care. Through the disability placement and support program, Plan and Grow has been able to provide support to 60 children, many of whom are often set aside by other providers as they are deemed “too hard”. Its objective is to ensure delivery meets the unique and complex needs of this cohort. That is why the rejection of its application to transition under the out-of-home care reforms was particularly disappointing. The organisation was advised at five o’clock on 12 October and, the next day, the Cook Labor government announced the 16 successful providers, without consultation or any avenues for appeal.

Plan and Grow’s CEO, Anita Peiris, believes the decision will have a devastating impact on the extremely vulnerable children who will be removed from their current stable placements, many of whom have been moved multiple times in their short lives. She believes the department has not considered the value of the strong connections and relationships built over the years with several children, some of them serving time in Banksia Hill Detention Centre and Casuarina Prison’s unit 18. Ms Peiris believes that to inform those children that Plan and Grow will no longer have a home for them on their release will be potentially catastrophic and could result in tragic outcomes. I am advised that the Plan and Grow youth justice coordinators are sometimes referred to as “guardian angels” at Perth Children’s Court—accepting children without judgement of the crime committed. They very well support these vulnerable children. The organisation’s safe community living program was developed so each young person is supported in a way that upholds their rights and meets the child’s unique and complex needs with the ultimate aim of reducing recidivism. The intent is to create a pathway away from the justice system and to try to break the cycle of repeat offending. The agency believes it has been successful in reducing the number of children in detention at Banksia Hill.

Many other providers have also obviously been impacted by this decision. I am advised the decision will threaten the stability of about 300 children in care across the state. Ms Peiris believes that the transition guide contradicts the fundamental rights of the Australian human rights of a child—the right to be treated fairly, no matter what. The closure of the disability placement and support program puts at risk the progress made over the years, the milestones, and the healing that these children have achieved in their time with Plan and Grow. These are deeply traumatised and vulnerable young men and women, and I will give two examples of children who have successfully turned their lives around with the support of these invaluable programs.

One of them is Ree. Ree has complex care needs marked by physical and aggressive behaviour, involvement in illegal activities, suicidal thoughts, self-harm and sexualised behaviours. Initially marred by multiple placement breakdowns stemming from carer fatigue and an inability to manage her disability-related needs and trauma responses, the department placed Ree in the disability placement support program delivered by Plan and Grow. Under the guidance of a dedicated skilled care team committed to her safety, growth and wellbeing, Ree has stabilised for the first time in her life. She came under the care of the department at the age of three years.

The other is Robert, a 15-year-old Aboriginal boy with a history of significant trauma. He found stability and support through the disability placement and support program. Robert’s journey has been tumultuous, marked by exposure

to abuse, frequent relocations and involvement with the juvenile justice system. The disability placement and support program became a beacon of hope for him. Placed in a promised long-term arrangement within the program, Robert was informed that this would be his forever home—a crucial element in reducing his challenging behaviours. The program’s trauma-informed, culturally connected care delivered by extensively trained staff facilitated the building of trust, leading to a positive transformation in Robert’s life.

The out-of-home care reform threatens to up-end this delicate balance for many children by removing them from a safe, stable environment where they are making significant progress. I urge the minister to reconsider the number of contracts that have been awarded —

Government members: Time!

The DEPUTY SPEAKER: Members! Excuse me, members.

Ms L. METTAM: — and to which providers —

Several members interjected.

The DEPUTY SPEAKER: Thank you, members.

Ms S.F. McGurk: You were quick to call out other members who had reached their time.

Ms L. METTAM: And it was allowed.

Ms S.F. McGurk interjected.

Ms L. METTAM: And it was allowed. I urge the minister to reconsider the number of contracts that will have been awarded —

Ms M.M. Quirk: No! No. Time!

Ms L. METTAM: — and to which providers to ensure the continuity of care for these extremely —

Ms S.F. McGURK: I have a point of order.

Ms L. METTAM: — vulnerable children.

Ms S.F. McGURK: I have a point of order, Deputy Speaker!

The DEPUTY SPEAKER: Thank you, member.

Ms L. METTAM: I thank the minister for taking my grievance.

Point of Order

The DEPUTY SPEAKER: Yes, minister.

Ms S.F. McGURK: First of all, Deputy Speaker, my understanding is when a member rises to their feet and calls a point of order, it is supposed to be heard immediately. That is my first point. My second point is that the member for Vasse was very quick to point out when the Minister for Education exceeded his time with a grievance. It is well known that the grievance time needs to be adhered to, but she continued to ignore it.

The DEPUTY SPEAKER: There is absolutely no point of order there. I allowed the Minister for Education to go over his time a little bit to finish what he had to say, the same as I allowed the Leader of the Liberal Party to complete her contribution as well. If members stick to the seven minutes, as it is meant to be, that is great. If you need a little bit of extra time, then I have a bit of flexibility to allow that—and I did.

Grievance Resumed

MS S.E. WINTON (Wanneroo — Minister for Child Protection) [9.40 am]: I thank the member for Vasse for her grievance on a very, very important reform of this Labor government. The reform to the out-of-home care sector has been in the making for over 10 years. I have driven this reform in the last 11 months since I became the minister, but I want to again acknowledge Simone McGurk, who set up the road map that has allowed us to come to this place. In October, we announced a major reform to the out-of-home care sector that will see \$217 million invested on top of the record investment that this Labor government has made in the area of child protection. We invest in child protection to support child protection workers and families in the early intervention space because we do not want to see young children coming into the system in the first instance. We are making great gains in that regard.

I also want to say at the outset that the system has been redesigned to align the services with the current evidence-based trauma-informed child protection case practice with a focus on reducing the number of children in care. I will keep coming back to this point throughout this response to the grievance. Importantly, this approach is consistent with the government’s commitment to the National Agreement on Closing the Gap and reducing the overall representation of Aboriginal children in out-of-home care. As the member said, following an open tender procurement process, which was overseen by the Department of Communities—as it should be; it is not my responsibility as it is

a procurement process—16 providers have been awarded new contracts to deliver out-of-home care services in Western Australia over the next five to seven years. Importantly, six of the 16 providers are Aboriginal-controlled organisations. Previously, there was one. We now have six Aboriginal-controlled organisations doing this important work to provide culturally safe and culturally responsive care arrangements for vulnerable children in our community.

Since becoming the minister, it has been my great privilege to travel right across the state and talk to child protection staff and foster carers. I am in awe of all those individuals and organisations, such as the ones mentioned by the member for Vasse, who do an incredible job. At the heart of what they do is supporting, protecting and nurturing vulnerable young people. I acknowledge those in the gallery who get up every day to do that important work and I acknowledge right around the state all those carers and organisations whose motive and number one aim is to make sure that we have safe care arrangements for children coming into care.

That will not change under these arrangements. Under these arrangements, the conditions that allow care to be provided to vulnerable young people will improve. The priorities of this reform are to offer greater stability for children entering care and for siblings to stay together. The key focus of this reform is also to improve opportunities for reunification. That is what we want. We want to see children stay connected and ultimately be reunified with their families. We want our young people to be well prepared when they leave care and have greater cultural connections. We want a system that is Aboriginal led, flexible and needs driven, with improved accountability and regulation. This reform will allow that to happen.

It is important to know that this reform refers to only about 20 per cent of the children who come into care. It will impact a small portion of the total number of children in care. We need to make sure that we remember that. For the majority of young people throughout the state, nothing will change in their care arrangements. However, we acknowledge that in some instances some young people, carers and organisations will be impacted by this change. That is why the Department of Communities and I have consistently worked with sector partners over a long time through this important reform and now in the transition stage. Stakeholders like the Noongar Family Safety and Wellbeing Council, the Western Australian Council of Social Service, the Foster Care Association of Western Australia, Community Employers WA, the Community and Public Sector Union—Civil Service Association of WA, the Australian Services Union and the Child and Family Alliance WA have all been working over a significant period to help support this much-needed change. I appreciate that change is difficult and it is sometimes challenging, but the change is important so that we have better arrangements for the most vulnerable children.

Out-of-home care providers and their staff, and families, carers and children are being supported throughout this process and Communities has transition teams in place dedicated to support this transition. It has been a complex process involving ongoing consultation with stakeholders from across WA, and organisations such as the Noongar Family Safety and Wellbeing Council, the Child and Family Wellbeing Association of Australia and the Foster Care Association are continuing that important work.

I will finish by just highlighting that I am happy to take this grievance, but the member made no attempt to reach out to my office to better understand this and to see how we can work with our partners to get an outcome. She is seeking to highlight this matter for the purposes of a media grab, rather than working collectively with me. The member has been the shadow Minister for Child Protection the entire time that I have been the minister and this is the first time she has raised it with me. I welcome her belated interest in children in care!