

**STANDING COMMITTEE ON
ESTIMATES AND FINANCIAL OPERATIONS**

**INQUIRY INTO THE MEMORANDUM OF UNDERSTANDING BETWEEN
BALGA SENIOR HIGH SCHOOL AND MANUFACTURING INDUSTRY TRAINING
SERVICES PTY LTD**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 12 NOVEMBER 2007**

CLOSED SESSION

Members

**Hon Giz Watson (Chairperson)
Hon Ken Travers (Deputy Chairman)
Hon Sheila Mills
Hon Helen Morton**

**Hon Peter Collier
(substitute member for Hon Anthony Fels)**

Hearing commenced at 1.34 pm

BARNETT, MS CHERYL

**Acting Executive Director, Metropolitan Services,
Department for Child Protection,
189 Royal Street.
East Perth 6004, examined:**

GLEW, MR STEPHEN

**Acting Executive Director, Resource Allocation,
Department for Child Protection,
189 Royal Street,
East Perth 6004, examined:**

RENSHAW, MS SUE

**Acting Executive Director, Policy and Planning,
Department for Child Protection,
189 Royal Street,
East Perth 6004, examined:**

The CHAIRPERSON: Welcome. On behalf of the committee, I welcome you to the meeting. To begin with, please state your full name, contact address and the capacity in which you appear before the committee?

Ms Barnett: Cheryl Barnett; I appear before the committee because the committee requested that someone from the Mirrabooka district office attend. I am not at Mirrabooka currently. My current role is acting executive director, metropolitan services. However, from 2001 to January this year I was at Mirrabooka district office as the district director.

The CHAIRPERSON: Do you have a contact address we could use for the record?

Ms Barnett: Yes, 189 Royal Street, East Perth.

The CHAIRPERSON: Thank you.

Mr Glew: Steve Glew; I am currently acting executive director, resource allocation with the Department for Child Protection and my address is 189 Royal Street.

The CHAIRPERSON: Thank you.

Ms Renshaw: Sue Renshaw; I am acting executive director, policy and planning and my address is 189 Royal Street.

The CHAIRPERSON: You will have signed a document entitled "Information for Witnesses." Have you read and understood that document?

The Witnesses: Yes.

The CHAIRPERSON: Thank you. These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please speak directly into the microphones and quote the full title of any document you refer to during the course of this hearing for the record. Even though this is a private hearing, you should note that the committee retains the power to publish any private evidence. The Legislative Council may also authorise publication. This means that your private evidence may become public. Please note that you should not publish or disclose any private evidence to any other person at any time unless the committee or the Legislative Council has already publicly released the evidence. I advise you that

premature publication of private evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

I will start with some questions. I refer, initially, to the letter from the Minister for Child Protection that is dated 24 October 2007. If you do not have a copy, we can provide you with one.

Ms Barnett: Yes, that is the one I have.

The CHAIRPERSON: The committee understands that the department placed 19 young people at Balga Works. Why were the service agreements entered into with the Balga Works program for only four of these young people?

Ms Barnett: Unfortunately there was a breakdown in departmental processes. Procedures were in place, but they were not always followed.

Hon PETER COLLIER: Why is that?

Ms Barnett: Miscommunication and uncertainty about what was required.

Hon PETER COLLIER: At what level would that miscommunication have occurred?

Ms Barnett: It was occurring on the whole between the field and our central office.

Hon PETER COLLIER: Do you mean the field worker?

Ms Barnett: Yes - between our district officers really and central office.

Hon PETER COLLIER: Sure. Are we talking about one field officer or several field officers?

Ms Barnett: No, just generally. Perhaps I should go back: originally, when we entered into putting young people into the Balga Works program, the officers' understanding was that it was an educational facility and that contracts were not required. We have got students in educational facilities like Bindoon and Gnowangerup agricultural schools, and we do not enter into specific contracts with those facilities.

Hon PETER COLLIER: Why do you not enter into contracts with those facilities?

Ms Barnett: Because it is another government department. They are educational facilities, so government department to government department.

Hon KEN TRAVERS: They are facilities that are actually run by the education department as opposed to Balga Works, which was run by a non-government agency.

Ms Barnett: Our understanding was that it was an education department-run program.

Hon KEN TRAVERS: Do you know why you have that understanding?

Ms Barnett: It was run out of Balga Senior High School. Balga Senior High School - I have worked in that area for six years - was very innovative in a number of the programs it actually ran out of that school. In fact, the department and some of our staff at Mirrabooka had been involved in the establishment of some of those programs. For example, the day-care facility was a first in Australia; we referred a lot of our young people that we were involved with to the Balga Youth program; and we also had contact with the football and netball programs that were also other innovative programs that were actually established at the Balga Senior High School. The Balga Works program was also one of those programs.

Hon KEN TRAVERS: I guess I am trying to get to whether the principal was presenting it as a program run by the school. What made the department go there?

Ms Barnett: Well, certainly. I think we forwarded some literature to the committee, have we not, about the programs that were actually run out of Balga high school, and the Balga Works program was sitting there alongside Balga Youth, day care, football and netball programs?

Hon PETER COLLIER: Those programs, apart from Balga Youth, specifically had the imprimatur of the school, not Balga Works. The service delivery for Balga Works was done by a private provider.

Ms Barnett: Our understanding was that it was a program being run out of Balga Senior High School in partnership with other providers. Essentially it was a program from Balga Senior High School.

[1.40 pm]

Hon HELEN MORTON: Can you say was there any other part of the Department of Education and Training, either at district level or central office level or whatever, that assisted you to believe that or made anything happen that made you believe that?

Ms Barnett: Well, as it started out, we have outlined in some of the correspondence we sent you. We have got a youth committee - it is YEETAC, and do not ask me what that stands for; it is in the literature - in our area, and that is how initially the discussions started happening in 2004; that there was going to be a new program that was being developed at Balga Senior High School and it would commence in 2005. We then had a presentation by Mike Carton, who came to a staff meeting. I have met with the principal, Merv Hammond, and Mike Carton down at the school premises, and we had no reason - oh, and also there was the steering committee that was established, and I attended one meeting of that steering committee. The director from central office attended - I do not know how many previous ones there were because we never got any minutes, and the meeting I attended was in March 2005, and there were not any other meetings beyond that of that steering committee. But that was held down at the Balga Senior High School; it was a breakfast meeting held down there. We had other personnel from the high school. There was Mark Carton, who is actually the principal of the Balga Youth program. Yes, it was - we had no reason to believe other than it was another program developed at Balga Senior High School.

The CHAIRPERSON: Could I just ask about the steering committee? Who was on it, how often did it meet and was there, for example, anyone represented from the Department of Education and Training there, rather than the school itself? I am sorry, three questions at once - that was unreasonable. Sorry, one at a time.

Ms Barnett: Okay. Well, I can only answer this by saying I was out of Mirrabooka for 2004 and I returned in early 2005. So during 2004, my understanding is - bearing in mind we cannot find any notes about this - my understanding was that the director in central office actually attended, to my memory, a couple of initial meetings of the steering committee.

The CHAIRPERSON: I am sorry - your central office or DET's?

Ms Barnett: Yes, our central office. So when I went back to Mirrabooka, she then said, "Oh, well, you can attend the steering committee when the next meeting came up on March 2005"; so I attended that meeting. Now, I am just trying to remember whether John Garnaut was at that meeting, and I cannot recall. I would not want to say yes or no; I really just cannot recall.

The CHAIRPERSON: Would there be minutes taken at that meeting, do you think?

Ms Barnett: No, we have no minutes.

The CHAIRPERSON: And it was convened by?

Ms Barnett: As my recollection, it was convened by Merv Hammond. Also in attendance, by my memory, was Merv Hammond, the president of the P&C, Mike Carton, Mark Carton from the Balga Youth program, a representative from the Department of Justice, Jane Savage, from the Department of Justice. Yes, I cannot remember whether anyone else was there or not. Those are the people that I recall at that meeting.

The CHAIRPERSON: And you just attended the one meeting?

Ms Barnett: I only attended that one meeting.

The CHAIRPERSON: So do you think that steering committee continued to meet?

Ms Barnett: Well, not that I am aware of.

Hon HELEN MORTON: Just following up from one comment you made. You talked about not being able to recall whether John Garnaut was there. Did you have other contacts with John Garnaut or do you have regular contacts or did you have regular contacts with him?

Ms Barnett: Yes, I did.

Hon HELEN MORTON: Was that about a variety of things?

Ms Barnett: Yes. We were on, I mean, the regional managers' forum. Throughout the state there is a regional managers' forum that follows the boundaries of the police districts; and so on the western metropolitan regional manager's forum, John Garnaut was part of that. In fact, yes, he chaired that forum for a couple of years.

Hon HELEN MORTON: And during those discussions and meetings were there times when he talked positively about the Balga Works program?

Ms Barnett: Well, he would ask me at various times and I queried - I also contacted him at one point over Balga Works, specifically in 2006, the beginning of, when staff were coming to me about non-payment; and so I contacted him specifically over that matter and was told that there was a dispute resolution process in place. So, yes, at various times I certainly - we had a discussion about Balga Works. He was asking me, you know, "From your point of view how is it going for your young people that are actually in there?"

Hon HELEN MORTON: And did he explain what the dispute resolution process was?

Ms Barnett: Yes. At that point they had allocated one of the deputy principals at Balga Senior High School to be contacted. His name just escapes me; Adrian -

Hon PETER COLLIER: Brand?

Ms Barnett: Yes, I think it was Adrian Brand, but I would have to check that. So, yes, that is what he advised, and that is what I then went back and advised our staff - that if staff of the education department were saying to our staff they were not being paid, that our staff were, you know, to respond that they should use the dispute resolution process and go to that deputy principal.

Hon HELEN MORTON: Can you say around about what month of which year that was?

Ms Barnett: Well, it was 2006.

Hon HELEN MORTON: Or just which quarter of the year would be fine.

Ms Barnett: It would have been between - I know I did not come back to work until the beginning or middle of February - it would have been between, say, March and June-July. That is as close as I would like to really have that - to place that.

Hon HELEN MORTON: That is fine; thanks.

Hon PETER COLLIER: Just one thing. Ms Barnett, I understand it was over two years since that initial steering committee first met in March - I think, 2005 you suggested.

Ms Barnett: It is the only meeting I attended.

Hon PETER COLLIER: Yes. Do you know if that steering committee subsequently met?

Ms Barnett: No, I do not know. I was not invited, if it did meet. I have got no awareness.

Hon PETER COLLIER: Were there any outcomes from that meeting that you can recall?

Ms Barnett: Well, there was an agenda and it was basically discussing the program. I think we forwarded that agenda to you in the papers that you have got.

Hon PETER COLLIER: Yes, thanks.

[1.50 pm.]

Ms Barnett: That is basically all my recollection of that meeting.

The CHAIRPERSON: Could I just go back for a minute to the service agreements? Who was ultimately responsible for ensuring that those service agreements were correct or were signed? I understand what you said. You admit that there was a problem there. Who would have been responsible for that?

Ms Barnett: Well, I guess at the end of the day, ultimately . . . um . . . at the end of the day, the district directors would have been. There just was not Mirrabooka district that was involved; there was a number of districts. Ultimately, they would have to take responsibility.

The CHAIRPERSON: Can I ask one other question in relation to that? When was the error or the mistake realised in that not all the contracts were being formally signed off?

Ms Barnett: The latter part of - I did not realise until about - it would have been the latter part of 2006, so we would have been talking about probably about September-October 2006.

The CHAIRPERSON: Thank you.

Hon KEN TRAVERS: Are you saying that there should have been a service agreement for every student that was placed in Balga Works?

Ms Barnett: Yes; at the end of the day, there should have been. However - well, yes, the reality is that at the end of the day there should have been.

Hon KEN TRAVERS: So the failure that you are saying there was, a failure in the system, was that there was not a service agreement signed for every student - is that what you are saying? I am not clear about what you are saying. You said there was a breakdown. I am just trying to work out what exactly was that breakdown.

Ms Barnett: Okay. Perhaps I will just walk you through what the process was. The process first of all is that there has to be - an application has to go up to the executive director for approval for a particular student, a young person going into a program. We call that "special purpose subsidy". Now, 19 of those - for 19 of those students - for 18 of them they were signed off by the executive director, and for one they were signed off by the director. Okay, so, where the miscommunication - a lot of our staff felt that was all they had to do. Now, the second part of the process is that the service agreements are established and signed off. Now, there definitely was a misunderstanding and it went on - it was - initially, I thought, as a district director, initially that is all we had to do, was to get approval for what we call the "special purpose subsidy". We were then informed from central office, no, we had to establish - contracts had to be established, and so there was someone from central office assisting in the establishment of those contracts because a lot of our field staff would never have established a contract as such before, and may not ever again.

The CHAIRPERSON: Can I interrupt for one second? When were you informed that that was needed? When did that become clear that that additional step was required? I am trying to get the timing.

Ms Barnett: Yes, well, it was in 2006 - June-July 2006.

The CHAIRPERSON: Sorry, I did not want to interrupt your flow.

Ms Barnett: Okay, so the process is "special purpose subsidy" and then the establishment of contracts and the sign off - the signage - and then, of course, payments, and payments were always made on invoice and they were always made in arrears. That is the process. Where it broke down is that there was not the establishment of some of those contracts.

The CHAIRPERSON: So there was a sign off? Would that service agreement have meant to be negotiated and sorted before the sign off? Is that the order of -

Ms Barnett: No, afterwards.

The CHAIRPERSON: Okay.

Hon KEN TRAVERS: Is it signed off by the executive director to say, "Happy for this to proceed."?

Ms Barnett: And for the funds to be allocated.

Hon KEN TRAVERS: For the funds to be allocated and then it goes into the formal negotiations with the service provider to establish a contract, of which I would imagine it is pretty much a standard contract?

Ms Barnett: It is. Certainly, the first part is a standard contract, and the second part -

Hon KEN TRAVERS: And then you add on any specific provisions that is relevant to that.

Ms Barnett: That is right; the expectations payment.

Hon KEN TRAVERS: This is where - and so you are saying that the breakdown was that that was done for some but not for all of them - is that right?

Ms Barnett: That is right.

Hon KEN TRAVERS: The reason it did not occur was because people were not aware that you needed to do that second process of getting a formal signed agreement until the middle of 2006?

Ms Barnett: Yes, on the whole.

Hon KEN TRAVERS: On the whole.

Ms Barnett: Some of the young people were there for a very short time. I cannot answer necessarily for other district offices, but some people were there for a short time and they were almost gone before a contract was established.

Hon KEN TRAVERS: Is it possible then that the six that were signed all would have come from one district office that understood the process and the rest came from offices that did not understand the process?

Ms Barnett: Yes, I think. I have the list in front of me. I just want to confirm this again but, as far as I am aware, all the contracts - certainly the four that were signed - were from the Mirrabooka district office.

Hon KEN TRAVERS: Right.

Ms Barnett: And the two that were also unsigned were from Mirrabooka.

Hon PETER COLLIER: How many others were unsigned altogether?

Ms Barnett: Sorry?

Hon PETER COLLIER: How many others were unsigned altogether in total?

Ms Barnett: Two.

Hon PETER COLLIER: Two.

Hon KEN TRAVERS: You see, because that is what I cannot work out though. So, there was no other - did that cover every student that was placed from the Mirrabooka office, or would there have been some that were placed there without a contract?

Ms Barnett: I am just looking at - no, there was one placed there from Mirrabooka without a contract.

Hon KEN TRAVERS: This is what I cannot understand -

Ms Barnett: Sorry, no, there was not; there were more. Two that were there for a very short time did not have a contract; one that was there for a longer period, but she was certainly in and out of the program and did not have a contract.

Hon KEN TRAVERS: I just do not understand how - because looking at the dates, as I understand it, the contracts were signed in November 2005. That would suggest that someone knew - I will get on to the signing of them, but if people are drawing up contracts - I guess my question, which is probably the more important one, is: what mechanisms have now been put in place to ensure this does not happen again?

Ms Barnett: What we are establishing is a - someone in central office, so that contracts are actually a process, a system of contract that they are actually managed centrally. So that the central person, in conjunction with the field officers, will develop the contracts, but the management of those contracts will be held centrally.

Hon KEN TRAVERS: Sorry, are you establishing that or you have established it?

Ms Barnett: It is pretty well established. We are doing that right now, but we have not got - you do not want to know the detail - we just have not got that designated. We have got one person working on it, but it is part of another job right now, but we are going to get a specified -

Hon KEN TRAVERS: Has the department done a review of all the existing clients placed in similar circumstances to ensure that there is a contract in place for them now?

Ms Barnett: Yes, we have.

Hon KEN TRAVERS: So they all now have signed contracts?

Ms Barnett: They are establishing - certainly ensuring that there are signed contracts and that someone centrally is managing that process. The difference we have made is that it is not 600 field officers throughout the department that, as I said previously, may only ever do one contract in their whole career. They would be assisting the central person, but the central person will actually be managing those contracts, developing the contracts, of course, in conjunction with our case managers, because they have the information and they are the ones that will know what they actually want to get out of the service.

Hon KEN TRAVERS: Right. Part of that process - does that also now have very clear guidelines about who and how you sign contracts? Because I guess - one of the questions I want to ask you is, we asked you questions about who signed these contracts on behalf of the Balga P&C and why the common seal was not affixed and the answer was: "That's something we would have to ask - only the Balga Works program can answer those questions." I would have thought for the department to enter into a contract with someone else, it is actually important that the other party has formally entered into that contract, and unless they have properly signed it, it is a problem for the department and not just for the Balga Works program. So, those new procedures, do they incorporate clear guidelines as to who and how the contracts should be signed?

[2.00 pm]

Ms Barnett: Steve can; I am -

Mr Glew: If I can just pick up on that for a little bit, at the moment we are trying to get it so that all our fee-for-service arrangements conform with what we have with the non-government sector at the moment. Basically, with the non-government sector funding, we go for a request for proposal. We actually go to the market - we establish those not-for-profits that can actually provide a particular service in a particular area. We go through all the quality assurance mechanisms with them; we make sure they have got the financial sustainability to be able to survive if something goes wrong. We are then able to enter into some sort of contractual arrangement with them. In hindsight, this is the mechanism that should have been gone through here, and that is where there has been a

breakdown in that process, and it has gone from being an educational-run program to where other things have come on.

With our fee for service, we do have district directors at the moment who enter into a fee-for-service arrangement, and they are with a lot of the non-governments providers that you would be familiar with like your Parkervilles and your Wansleas and your Yorganups that have actually been through established processes, and we are actually getting it to a point. We have got a placement officer at the moment: he is engaged in working with contracts, advising the district directors, and we are actually working through that process to ensure that there is some quality assurance around all the agreements that we enter into.

Hon KEN TRAVERS: I understand that, and I guess that is why I am not focusing on what went wrong here, which, I guess we could do as an inquiry today on - that is, what went wrong and why this document was not signed, why it was signed by the P&C or the common seal was not affixed, which, and I am not a lawyer, but I suspect would mean that the documents are not worth the paper they are written on. But I think you have accepted that there was a breakdown in the processes -

Mr Glew: Certainly.

Hon KEN TRAVERS: Good process was not followed. What, I guess, I am more concerned about now is making sure that the processes into the future are such that this will not happen again. So, I am not asking with the benefit of hindsight - I am trying to make sure that when we go into the future, it will not happen again and that is why I am asking whether or not there are very clear procedures; that is, if this were to occur again, there would be a thorough process to ensure that the documents are signed by the correct people. I have got to say that when I get an answer when we asked the question about who affixed the common seal and why it was not there, "Well, that's a problem for Balga Works and not for the department", that gives me great cause for concern that the department still does not actually realise that if you are entering into a contract, you need to make sure that the other party is formally entered into that contract as well.

Mr Glew: Look -

Hon KEN TRAVERS: I guess that is why I want to know what the procedures are -

Mr Glew: - I perfectly understand what you are saying.

Hon KEN TRAVERS: - for that to occur.

Mr Glew: Yes. Look, I have just signed off on 180 contracts with the non-government sector. The seal has been on every one of them. We are very familiar with the process. This is one of those things that, as I said, in hindsight that should not have occurred, and we have actually gone and identified a recent management plan, and I am quite optimistic that we will not ever see this in the future.

Hon KEN TRAVERS: Yes. I guess that is what I am trying to get at.

Mr Glew: I know.

Hon PETER COLLIER: I understand that.

Mr Glew: Yes.

Hon PETER COLLIER: Look, I understand that. Sorry; I did not mean to be flippant. Just from what Ken was saying with regard to this issue, but have the strategies improved as a result or since the Balga Works? The issues that we are talking about with regard to Balga Works, has the situation improved since that time or is it just assumed that the seal will be on each contract?

Mr Glew: Can I say that we put up a plan to CorpEx, which went up several months ago, that CorpEx signed off on. It was actually titled "The Risk Management Strategy". It was looking at identifying every child who was engaged in any fee-for-service arrangement and ensuring that the proper contractual arrangements were in place. Part of that, as we move forward into the future,

will be to go to the market and establish a panel of service providers around a series of services that are currently being provided, irrespective of what they happen to be. So, we have got clarity around who is in this service. We are looking at ensuring that the contractual arrangements are in place, and then we are looking into the future as well, to assure that suddenly we do not get these on-the-side arrangements occurring, irrespective of how good they may appear, without going through a full testing of the marketplace.

The CHAIRPERSON: Is it possible to have a copy of that procedure?

Mr Glew: The risk management?

The CHAIRPERSON: Yes. Not right now, obviously, but -

Ms Renshaw: We will send that to you.

Mr Glew: Yes.

The CHAIRPERSON: Thanks. I guess I had one further question in that regard, and it may be sort of self-evident, but without those service agreements, how was it possible for the department to gauge whether you were getting the service that you were expecting? I suppose that is the question.

Ms Barnett: Well, there were certainly very regular meetings, as you would have gathered from the -

The CHAIRPERSON: With caseworkers?

Ms Barnett: Yes, with the caseworkers, as you would have gathered from the file information that we sent through. Also, we had a worker at Mirrabooka, the Aboriginal support worker, who was down at that program daily. So, we had very good feedback and we felt that we knew we had good information about what was happening. The case manager - there was a process, certainly, I mean, it was easier for the Mirrabooka case managers because we were close - certainly met with the Balga Works people on, generally, a weekly basis to actually review the students', the young persons', progress.

The CHAIRPERSON: Could I also just take you to the point where you acknowledged that where the communication broke down was that the caseworkers did not realise that they had to have those agreements in place? Was there any explanation for that? Was it lack of training or lack of clear procedure or too much pressure? Would there be some estimation of why they might not have known -

Ms Renshaw: I think lots -

The CHAIRPERSON: - or might not have acted on it?

Ms Renshaw: I think it is lots of things they were doing in their casework, and that they did not necessarily do some of those things very often, as Cheryl said. You know, the situation might arise once for one caseworker; it was not a regular process that they were following.

Ms Barnett: And can I just say that the first two young people that went into the Balga Works program were from the Mirrabooka district office, and that one had been expelled from an agricultural college, where the process was that his ABSTUDY, because ABSTUDY accepts Bindoon and Gnowangerup as educational facilities and boarding facilities, so ABSTUDY is paid directly to them. Now, for both of the initial two boys that went into Balga Works, that was the process for that. So, ABSTUDY accepted that this was also a similar program to what Bindoon and Gnowangerup was. So, ABSTUDY paid directly to the Balga Works program for what they considered the boarding and the fees, and we provided to the young people pocket money and a clothing allowance. So, this is where - you know, we thought we were dealing with - and ABSTUDY accepted it as well. For those first two in, the two who were in there the longest, that we had actually referred to Balga Works.

The CHAIRPERSON: What sort of service would you have been expecting to be provided by the Balga Works program to meet your requirements?

Ms Barnett: Well, what we were being offered was that it was like what we colloquially refer to as a “wrap-around service”. So there was the education program during the day; there was the accommodation aspect, plus they were involved in recreational activities. It was a full - it was what we consider a very comprehensive program for a group of young people that had quite high needs and were previously quite difficult to place, and that were not necessarily - a lot of them were not attached to education on a regular basis.

Hon KEN TRAVERS: Cheryl, I just want to go back and understand a bit better: you say that those students were at agricultural colleges, so who was picking up their costs at those agricultural colleges - that is, their living costs at the agricultural colleges?

Ms Barnett: ABSTUDY was paying directly through to the colleges.

Hon KEN TRAVERS: Right, and that was sufficient to cover all of their needs at the colleges?

Ms Barnett: Yes, we were paying their clothing allowance and their pocket money.

[2.10 pm]

Hon KEN TRAVERS: Does the department of education subsidise any of the accommodation component at those agricultural colleges?

Ms Barnett: I do not know; I do not know that detail. I do not know.

Hon KEN TRAVERS: Right.

Ms Barnett: I just know how we - what it means to us - so, as I say, we did the same thing initially for those two young people at Balga Works.

Hon KEN TRAVERS: I guess to put it another way, if someone was not at that and was at a private, non-government organisation - you mentioned Parkerville and Wanslea and those sort of places - do they require more than ABSTUDY to pick up the costs of looking after those kids?

Mr Glew: Certainly, yes.

Hon KEN TRAVERS: So that would make me think that the education department is subsidising the cost of the accommodation at those other locations.

Ms Barnett: I could not say.

Hon KEN TRAVERS: I guess one of the things - I mean, who did you think was picking up the cost when they were going into Balga Works?

Ms Barnett: We just - it was like, as I say, it was attached to the education department. There was not - we just did not give that consideration.

Hon PETER COLLIER: But you thought the education department was paying for the accommodation component, did you?

Ms Barnett: Well, the whole Balga Works program was embedded in the education department. You know, this was an education department program.

Ms Renshaw: As we understood it.

Hon PETER COLLIER: What would the money from your department go toward? Can you just clarify that for me?

Ms Barnett: What we had initially was a clothing allowance, which all the young people, you know, that are in care get a clothing allowance and it is paid quarterly, and a pocket money allowance.

Hon PETER COLLIER: And that is all that your department would pay for - clothing and pocket money?

Ms Barnett: Initially, yes, that is right.

Hon PETER COLLIER: And then how did it increase? What was the -

Ms Barnett: Well, it was realised that - and in - it increased in 2006 because it was realised that we were not paying, you know, that we were responsible for the care of these young people, and as complaints were coming through that they were having trouble with staff payments, the department - we felt we had some responsibility and we entered into negotiations with Balga Works, and that was entered into centrally about what would be an appropriate amount.

Hon PETER COLLIER: For what? For their accommodation?

Ms Barnett: For the whole program, without paying the education component, but -

Hon PETER COLLIER: Sorry, so that was in 2006 - I am a little confused; I apologise. That was in 2006, and then your department started paying above and beyond clothing and pocket money?

Ms Barnett: We did.

Hon PETER COLLIER: And that was for, as I understand it, accommodation and an across-the-board payment toward their enrolment in the Balga Works program. Is that what you are saying?

Ms Barnett: That is right.

Hon PETER COLLIER: That would include accommodation and the actual educational component?

Ms Barnett: No, we never paid for any educational component.

Hon PETER COLLIER: So it would only be the accommodation, then?

Ms Barnett: Well, yes, and the add-ons to that; some of the recreation, some of the - yes.

Hon PETER COLLIER: Okay, and so when did you start paying that additional money?

Ms Barnett: I would have to get back to you specifically when that started, but those negotiations were happening at the beginning of 2006.

Ms Renshaw: I think it was in one of our submissions; we actually - perhaps our first submission.

Hon PETER COLLIER: That was in July that you started giving that payment - is that what you are saying? I am just wondering - in a parliamentary question I put in last year, they had - I was looking, trying to ascertain how -

Hon KEN TRAVERS: July 2006, it was.

Hon PETER COLLIER: July 2006 - that was when they started paying - sorry, July 2006 -

Hon KEN TRAVERS: Agreed to pay the full cost.

Hon PETER COLLIER: Of accommodation?

Hon KEN TRAVERS: Yes; \$1 448 per week.

Hon PETER COLLIER: That is right; I remember it now. A lot of those funds - sorry, getting back to the parliamentary question - a lot of the funds did not come through as in payment until well after that. I would suggest, really, they did not start filtering through until the end of 2006. Was that as a result of the fact that the invoices from - it was the P&C, I guess, was it not, as opposed to Hurson?

Ms Barnett: Or Balga Works.

Hon PETER COLLIER: Or Balga. Yes, P&C or Hurson. They were delayed?

Ms Barnett: Yes, we only paid on invoice and certainly there was delay; there was a big delay for a lot of those invoices.

Hon PETER COLLIER: Were there any concerns at that stage that, in terms of the quality of accommodation, as a result of the fact that obviously there was no money going to this program for the better part of three or four months?

Ms Barnett: Well, our concerns were - we were becoming concerned in August and September.

Hon PETER COLLIER: Why were you concerned at that stage?

Ms Barnett: Well, we felt that the - certainly the staff were coming back to me about the staff leaving, particularly the education component, and so what was becoming apparent was that the whole program was becoming diluted and it was leading to some of the young people obviously not being fully occupied all the time and some of those antisocial behaviours were coming out, so yes, we were starting to see that there were some impacts that were coming through and staff were reporting that - initially, when that program was set up, there was extremely committed staff, and the education component of the program, it was like four students to one education person, so it was - what was being reported to me was that the program itself was becoming diluted, I guess, for the want of a better word, and the number of options that they actually had within that program were becoming less.

Hon PETER COLLIER: Did you take any steps at that stage with regard to the number of students that were enrolled in the program, or did you -

Ms Barnett: How do you mean?

Hon PETER COLLIER: What did you do when you started hearing these complaints?

Ms Barnett: Well, I certainly had discussions with Mike Carton, and so at that time - and more specifically, Mike Carton, there was - he was confident that there would be federal money coming through to fully fund those programs, quite a bit of federal money, and that basically it was only a matter of time before that money came through and the programs would be running as they were initially - you know, as they were initially.

Hon PETER COLLIER: So it was a funding issue, was it? It was a funding issue, and that was what led to the problems as you saw it?

Ms Barnett: Certainly, the education - yes - well, that is as we, you know, as we were seeing it.

Hon PETER COLLIER: Did you talk to Merv Hammond or anyone else at this stage, when it was apparent that things were imploding?

Ms Barnett: I cannot remember discussions with Merv. Because we were out in the local area, we would see each other, but I certainly - I had discussions with - I cannot remember having a specific discussion with Merv Hammond, no.

Hon PETER COLLIER: Okay, just one more thing. With regard to the invoices that came through, can you tell me what Eyes On Management is?

Ms Barnett: No. Eyes On Management?

Hon PETER COLLIER: Yes, on the invoices that were paid through the department, they were paid to Eyes On Management. I can give you some of these invoices if you like. You have got them, obviously, because you provided them for me.

Ms Barnett: Eyes On Management?

Hon PETER COLLIER: Yes.

Ms Barnett: I have never - I have not -

Hon HELEN MORTON: You said that you - when those concerns were coming through etc that you did not end up having a discussion - or you do not recall having a discussion with Merv Hammond about it. Did you discuss it - within your department, did you discuss it with people who were more senior to you, and did you express your concerns up the line or whatever, however their structure is?

Ms Barnett: Well, yes, there were discussions, but our information was still that there was federal - you know, that there was likely to be federal funding coming through to support these programs.

Hon HELEN MORTON: Did that idea of federal funding coming through come from any - did you get any suggestion that that was a likelihood from anybody else other than Mike -

Ms Barnett: Yes, I did.

Hon HELEN MORTON: Would you like to say who that was?

Ms Barnett: Yes, his name was Peter Bass, and I do not know whether you have had - and his exact role escapes me right now, but he was connected to some of that federal funding, so yes, it was also coming from - I had discussions with Peter Bass.

Hon HELEN MORTON: And what did he say to you? What was the gist of what he said to you?

[2.20 pm]

Ms Barnett: Well, that changed over time.

Initially, yes, there was quite a bit of money that was - they were actually considering supporting the Balga Works program.

Hon HELEN MORTON: Do you know around about what time you believed that that conversation was along the lines of yes, they were going to be supporting?

Ms Barnett: Probably July-August '06.

Hon HELEN MORTON: And what did it change to?

Ms Barnett: Then, well, the education department withdraw in September, and then we put a project officer on to look at the program, and we stopped referring young people to the program. That project officer was put on in October. We stopped referring in October, and we - the recommendation of the project officer was to withdraw, that there were broader governance issues, so we withdrew the students by the end of 2006.

Hon HELEN MORTON: Did you mention to anybody in the Department of Education and Training that you had had those discussions, or did anybody that you believe mention to the education department that you had had those discussions with - I have forgotten his name - Peter Bass?

Ms Barnett: Yes. Actually, I had a discussion also with John Garnaut in - it would have been June-July-August.

Hon HELEN MORTON: That was before they withdrew?

Ms Barnett: Yes. That is right.

Hon HELEN MORTON: And you told him that you had had these discussions with Peter Bass?

Ms Barnett: No. Well, what discussions are we talking about? I am talking about the discussions about federal funding.

Hon HELEN MORTON: Yes.

Ms Barnett: Certainly before September, so it was probably June-July that John Garnaut had told me that there was also someone assessing the programs and that there was a possibility that there would be alternative funding coming.

Hon HELEN MORTON: Do you believe, in your conversations with John Garnaut before the Department of Education and Training withdrew their support for the program, that you had made it clear that there was an intention - on your understanding, that there was an intention from Peter Bass that those federal funds would be made available?

Ms Barnett: I do not recall that I discussed with John Garnaut what Peter Bass had said. I do not recall that I linked the two. So, they were quite separate conversations.

Hon HELEN MORTON: Right.

Hon KEN TRAVERS: I got a bit lost there, too. Can you just recount for me how the conversations with Peter Bass changed over that period of time from - I think you were initially saying they were examining it and were supportive. Did his views about the program, in his conversations with you, change over time? Is that what you are saying?

Ms Barnett: Well yes, they did, certainly after the education department withdrew funding.

Hon KEN TRAVERS: Right.

Ms Barnett: Certainly then Peter Bass - yes, it certainly changed.

Hon KEN TRAVERS: But until that occurred, he was very supportive of the programs and was indicating that they would be federally funded - is that correct?

Ms Barnett: Yes, that is my memory of it. That is my understanding, yes. Certainly afterwards we had - I mean, Peter - you know - the actual model was - the model was a good model, but there were certainly governance issues, and unless the governance issues could be dealt with -

The CHAIRPERSON: I was just going to ask how your contact with Peter Bass came about.

Ms Barnett: He contacted me by email.

The CHAIRPERSON: So, he contacted you to ask about the Balga Works program?

Ms Barnett: Yes.

The CHAIRPERSON: Do you know when that was, roughly?

Ms Barnett: Oh, it would have been July-August '06.

Hon HELEN MORTON: Would that have been in response to a request for funding, and he was checking up the validity of information, or something?

Ms Barnett: No, it was not.

Hon HELEN MORTON: What was the context of that email when he first made contact with you?

Ms Barnett: He had had some concerns expressed to him about some behaviours of what was happening in the program.

Hon HELEN MORTON: With students or teachers, or what?

Ms Barnett: Yes, with employers, and with students.

Hon HELEN MORTON: And your response was?

Ms Barnett: Well, we investigated them. We investigated his concerns. So, we had an ongoing dialogue.

Hon KEN TRAVERS: So, your first contact with Peter Bass was about complaints about inappropriate relationships between staff and students - is that right?

Ms Barnett: Yes, that would be - that sums it up quite well.

Hon KEN TRAVERS: Right, but he was then, even after that, was supportive of the program?

Ms Barnett: Not the way it was - he was supportive of the model.

Hon KEN TRAVERS: Right.

Ms Barnett: Okay? There is a difference. He had concerns about the governance; you know, he had concerns about the governance, but as far as the model, he was still - we still had discussions, well, you know, can this be fixed.

Hon KEN TRAVERS: Are there ongoing discussions about establishing that model, still?

Ms Barnett: No, there has not - well, not that I am aware of. I am quite aware of what is happening right now, but certainly the department has not been invited to have discussions about establishing a similar model.

Hon KEN TRAVERS: I am getting confused again, because I got the impression earlier that Peter Bass was generally supportive. You had sort of indicated to us that Peter Bass was supportive of this program, and was indicating that there would be federal government funding coming into the program, but now you are suggesting that he was supportive of the program, but he was concerned about the governance structure, which would suggest that unless that governance structure was amended, he would not be supportive of the program?

Ms Barnett: That is right, exactly.

Hon KEN TRAVERS: Right. Well, that does not sound like you are very supportive of the Balga Works program. You might be supportive of the Balga Works -

Ms Barnett: No. I am talking about the model. I keep talking about the model. There were governance issues with that model.

Hon KEN TRAVERS: But was he prepared to fund the Balga Works program?

Ms Barnett: At what stage?

Hon KEN TRAVERS: As it was operating at that point.

Ms Barnett: At what point?

Hon KEN TRAVERS: When you first spoke to him.

Ms Barnett: No. They were looking at it. It was certainly on the table and it was certainly being considered, is his information to me.

Hon HELEN MORTON: And did your information back to him give him additional support in terms of, yes, this is a worthwhile thing to invest in, or not?

Ms Barnett: Well, I mean, there were a number of things happening at the time - the education department withdrawing, our investigation, and Peter was - certainly in his conversation with me, he was losing confidence in what was - as we all were, you know - the governance of it just was not satisfactory.

Hon KEN TRAVERS: What was the outcome of those investigations into the inappropriate relationships?

Ms Barnett: Well, one - we were investigating two, primarily. One, there was nothing there. The other one, I think there was an inappropriate relationship. However, there was nothing that charges could be laid or -

Hon KEN TRAVERS: Was one of those against Mr Carton's son Josh?

Ms Barnett: Yes, that is right.

Hon KEN TRAVERS: Was that one that was or was not substantiated?

Ms Barnett: Well, when we say substantiated, it was -

Hon KEN TRAVERS: Was it enough to give you cause for concern?

Ms Barnett: Yes. We wanted him out of the program.

Hon PETER COLLIER: Sorry. You wanted what?

Ms Barnett: We wanted the son out of the program.

Hon KEN TRAVERS: So, you established concerns about the son's behaviour. The fact that his father was also running the program did not cause greater concern?

Ms Barnett: As I say, the whole governance issue.

Hon KEN TRAVERS: When was that?

Ms Barnett: This whole July-August-September period. No, it was before September, so it had to be July-August. Those were the same times as we were having the discussions with Peter Bass.

Mr Glew: If I can just clarify that as well, in the submission it said that there was an issue in August 2006 and the matter was referred to the police child abuse unit, who could not proceed with any criminal charges as the carer did not work specifically in the house where the 17-year-old woman resided.

Hon KEN TRAVERS: What page was that on?

Mr Glew: That was on page 6 -

Hon KEN TRAVERS: Of which -

Mr Glew: On 3 August.

[2.30 pm]

The CHAIRPERSON: Regarding your conversation with John Garnaut when the prospect of federal funding was being discussed, did you get the impression at that stage that there was government backing for the program?

Ms Barnett: No, I cannot say I got any impression one way or the other.

Hon HELEN MORTON: Did you ever mention to Michael Carton or to Merv Hammond that you had had these early discussions with Peter Bass and that those discussions included something about potential commonwealth funding?

Ms Barnett: I did not discuss my conversations with Peter Bass with Mike Carton.

Hon HELEN MORTON: Or Merv Hammond?

Ms Barnett: Or Merv Hammond.

Hon PETER COLLIER: You have a copy of those invoices now. Do you have any idea now what Eyes On Management is?

Ms Renshaw: No, we have not. The invoice is actually approved by someone who is in an area that we do not supervise. We can check with that area and find out for you very quickly. Since the gap is obviously a child's name, there are a number of different surmises we have come up with, but the person who authorised the payment of the invoice would be able to tell us -

Hon PETER COLLIER: It is not just one invoice; there are a number of them.

Ms Renshaw: There are a number.

Hon PETER COLLIER: It is quite a bit of money.

Ms Renshaw: The ones we have got all seem to have been authorised by the same person.

Hon PETER COLLIER: Robyn?

Ms Renshaw: Robyn Gercama.

Hon PETER COLLIER: Gercama, yes.

Ms Renshaw: We can certainly check with her. It would be her responsibility to verify what the service was. There are a number of different surmises I can come up with, but I would rather check with her and let you know.

Hon PETER COLLIER: If you check that is fine.

The CHAIRPERSON: Yes, if you could get back to us on that one.

Ms Renshaw: Sure.

Hon KEN TRAVERS: It was put to us that the department is not allowed to directly make payments to the education department. Is that correct?

Ms Barnett: We make payments all the time. We pay school fees.

Hon KEN TRAVERS: For accommodation services - are there any restrictions?

Ms Barnett: Not that I am aware of.

Hon KEN TRAVERS: The reason the service agreements had to be with the P&C was because the Department of Child Protection or whatever it was back then - the department with the care of the children - was not able to make payments to the Department of Education and Training and that is why the service agreements had to be with the P&C and could not be with the school.

Ms Barnett: Okay, we will have to follow that up.

Hon HELEN MORTON: What do you believe that the contracts were, even though service agreements were between your department and a P&C organisation rather than the school?

Ms Barnett: I still believed that it was going to the Balga Works program.

Hon KEN TRAVERS: Who were the cheques actually made out to - the Balga Works program or the Balga Senior High School P&C?

Ms Barnett: I will have to check that as well. They are made up from central office. They go from central office -

Hon KEN TRAVERS: Or to Hurson's?

Ms Barnett: Never.

Hon KEN TRAVERS: Never to Hurson's?

Ms Barnett: I know that for a fact - never. That was in the information we forwarded to you as well. There was a request very late in November-December 2006 that there be some payments through.

Hon KEN TRAVERS: You are very emphatic about that. Why do you think it is an important thing to stress to us that the payments were never made to Hurson's?

Ms Barnett: Because we were not paying a private agency. We still believed that it was still a program run out of Balga high school.

Hon KEN TRAVERS: Yes, but you do not know who you were paying. You know you were not paying Hurson's but you do not know who you were paying.

Ms Barnett: Well, we were paying the Balga P&C.

Hon KEN TRAVERS: The cheques were made to the Balga P&C?

Mr Glew: I think it is standard practice that the payment would be to whichever group is mentioned on the tax invoice. I am not sure whether you have them all, but it would be impossible for a payment to actually go out if it is not made out to the actual group that was on the tax invoice.

Hon KEN TRAVERS: I want to know who the actual cheques were made out to. If they were made out to the Balga Works program, who is the Balga Works program? I am not aware of there being a legal entity called the Balga Works program.

Ms Renshaw: It is just a technicality. It would have been bank transferred, not cheques. We would understand that the bank transfer would be going into the same account as is at the top of the invoice it was made out to.

The CHAIRPERSON: Can we step back to the issue to do with the department agreeing to pay the full cost of the accommodation of each young person placed at Balga Works. Do you know who was involved in that decision making?

Ms Barnett: Yes, pretty well.

The CHAIRPERSON: Will you tell us?

Ms Barnett: One of our directors and his staff and, from Balga Works, it would have been Merv Hammond - oh, sorry, Mike Carton and Merv was involved in that as well I am quite sure, but I would like to check that. I was not involved in those negotiations; it was our central office that was doing those negotiations.

The CHAIRPERSON: Do you know which of the directors it was?

Ms Barnett: Yes, John Hancock.

The CHAIRPERSON: Thank you.

Hon HELEN MORTON: You talked about the changes that took place when the Department of Education and Training - or you talked about the withdrawal of funding being - I got the impression anyway that it was quite a defining point in the whole program.

Ms Barnett: Absolutely.

Hon HELEN MORTON: Would you like to talk about what the impact of that was like and whether you thought it was an appropriate step or whether it was premature given the other things that were happening at the time? Would you just expand on that a little bit?

[2.40 pm]

Ms Barnett: That was in September '06 when the education department withdrew its funds. I was called down to the education office and we were informed that the program would be defunded in, I think, four weeks. So, during that time the education department office had two participation officers that would work with our education officer to find alternative programs for the young people we had in the Balga Works program. That is what happened over the next couple of months. Attempts were made to find alternative education programs. Certainly, there were some difficulties during that period with that happening, which further, I guess, undermined our confidence in the Balga Works program, in that workers were reporting to me that they were not being fully supported by Balga Works staff in getting the students into alternative programs. The department put a project officer on in October to actually look at whether we would continue with supporting the rest of the program, and we had stopped referrals, but whether in the long term, what our future would be with the program - and the decision was made, because of a lot of governance issues, that we would discontinue and we would take our young people out completely. That had a big impact on some of the young people, particularly two or three of them that had been there for quite a considerable period of time and really considered that they did not want to go. There is one young person I know that still talks about, you know, that it was good and why did it stop. So the impact to the young people was variable, but certainly for some of those longer term residents it had quite an impact. I just had a ring-around to see what was happening with some of those young people. None of them are in education or work right now. So we are talking about a cohort of young people that, before they went into the Balga Works program, the majority of them were not aligned to mainstream education or to any - you know, they were in and out of education, and certainly for some of them that were there for quite long periods of time, the Balga Works program did afford them some stability and it did afford them some opportunities.

Hon HELEN MORTON: Did you try to get the Department of Education and Training to change its views or its position on that funding?

Ms Barnett: No, we did not. When we were called down to that meeting it was perfectly clear that we were being invited down to be provided the information and to discuss how we were going to move on and get placements for the young people attached to the program. Certainly, at my level there was not any place to go with that.

Hon KEN TRAVERS: After the education department advised you that they were closing it down, did the department still consider whether it would continue to fund the program?

Ms Barnett: Certainly, the placement part of the program.

Hon KEN TRAVERS: The accommodation side of it?

Ms Barnett: Yes.

Hon KEN TRAVERS: Who did you intend to deal with when you were considering continuing that?

Ms Barnett: That was part of the issues why we decided to. What we realised at the time was that, well, if these students are no longer part of Balga Senior High School, then where is the program. Yes, I mean, everything was splintering, and it just became clear that it was no longer a viable option.

Hon KEN TRAVERS: When did you first become aware that the accommodation services were being provided by Hurson and not by the high school?

Ms Barnett: I think in the newspaper at about that time.

Hon KEN TRAVERS: Never before?

Ms Barnett: No.

Hon KEN TRAVERS: Prior to that time you had always believed it was the education department or the high school that was actually physically providing the accommodation?

Ms Barnett: No, sorry, I did not have that belief.

Hon KEN TRAVERS: Who did you have the belief was providing that accommodation?

Ms Barnett: When this first started out and Mike Carton came down to the - I believed it was a joint program; that certainly the accommodation aspect was being provided by the MST - the Manufacturing Industries -

Hon KEN TRAVERS: MITS.

Ms Barnett: Something like the Manufacturing Industries - yes, right. And Mike Carton always said that when he came out to the Mirrabooka - one of our staff meetings, that he was fronting a number of businessmen, which was MS manufacturing, and that they were actually - our belief was that was where the support for the holistic program was coming from.

Hon KEN TRAVERS: Sorry? So you thought that MITS - which I think is the Manufacturing Industry Training Services - that that body was the one that was providing the accommodation services?

Ms Barnett: Yes.

Hon KEN TRAVERS: Why would the contract have been with the P&C?

Ms Barnett: Because we believed the whole program - see, the whole program - that was part of it, but the whole program was the Balga Works program, and it did not come in its and bits, as I believed, that it was about a five-day, 52-week program. It was not 40 weeks per year; that it was the full comprehensive program that was linked. It was a package.

Hon PETER COLLIER: Just with regard to that, when you mentioned about after the education department had withdrawn from the program there was consideration of the program continuing, or certainly the accommodation component continuing to support that accommodation component - is that correct?

Ms Barnett: You have to remember that we had some very difficult to place young people, yes.

Hon PETER COLLIER: Yes. So who were you dealing with, who were you communicating with at that stage?

Ms Barnett: Mike Carton -

Hon PETER COLLIER: So you were dealing with Michael Carton at that stage.

Ms Barnett: - the P&C president.

Hon KEN TRAVERS: Keith Mynard.

Ms Barnett: Keith Mynard and Jon Cook.

Hon PETER COLLIER: And your communication at that stage was that the accommodation component could survive without the education component - is that right?

Ms Barnett: No. We were caught. All of a sudden we were told that part of this comprehensive program is being withdrawn. We had nine at that - there were nine in December; there were at least nine very, very difficult to place young people. We could not just get them out, just place them overnight. So basically we were struggling to see where we were going to actually go with this, and that is why we put the project officer on.

Hon PETER COLLIER: The intent of that was purely in the interim period until those nine young people could be engaged in another accommodation facility?

Ms Barnett: Yes, that is what - that is how it panned -

Hon PETER COLLIER: Was that always the intent of your department that that was what was going to happen or did you countenance the prospect of the accommodation component continuing?

Ms Barnett: When the project officer went on it was to look at the viability; basically, it was to look at what we were going to do. We did not know the full extent of basically with education what we were dealing with; it was no longer the package, it was no longer the Balga Works program that we had entered into.

Hon PETER COLLIER: I understand that. I am just thinking. Sorry. So that was mid October, I think 13 October, when the DET component finished? So at that stage the problems with the program were quite evident, but you were still in discussion with Mr Carton and Mr Mynard and Mr Cook with regard to possibly continuing the accommodation component?

Ms Barnett: No, we were not very keen. We basically at that time - we wanted to get the young people, first of all, get them into some alternative education and also then look at what options there were available for accommodation.

Hon PETER COLLIER: Would that have included Mr Carton in that equation - involving Mr Carton?

Ms Barnett: No, it was not really, no. I mean, they were coming back to us. They were coming back to us from various times, asking us whether they could form - you know, if they formed this company, would we pay them, and we said no. So there were various permutations - my memory at the time - being put to us, but none of them were -

Hon PETER COLLIER: So there was never any intention, as far as you are concerned, of the department continuing the accommodation component after the education component had dissipated?

Ms Barnett: No, not privately. We would have been, if the Balga high school or - but that was becoming clear that was now out of the equation, so, no. No, it was just very difficult. You know, we have got very difficult to place young people.

Hon PETER COLLIER: The only reason I took that line of questioning, sorry, was that I went through the case reports, and it came through there that there was a possibility that this accommodation component was going to survive, but I guess from what you are saying it may have survived but not in its Balga Works form. Is that what you are saying or am I wrong? Have I misread it?

Ms Barnett: It may have survived but not in its Balga Works form? Yes, I cannot -

Hon PETER COLLIER: Okay, that is fine. What about the educational component? Did the department ever consider funding in any form the education component for these students?

[2.50 pm]

Ms Barnett: Our department?

Hon PETER COLLIER: Yes.

Ms Barnett: No, some of the alternative programs are supported by our department.

Hon PETER COLLIER: Right.

Ms Barnett: We have a program. It is called BeBop; but no - we did not. No. We were not going to establish an education -

Hon PETER COLLIER: No.

Ms Barnett: No.

Hon PETER COLLIER: But, just a couple of comments from one of the caseworkers who said that they were considering the implications of funding the educational component. That is obviously not the case.

Ms Barnett: No.

Hon PETER COLLIER: For your benefit it is "child W" - when looking at the case records.

Ms Barnett: "Child W." I do not know whether I have the list here.

Hon KEN TRAVERS: In reply to Mr Collier's question about continuing the program you just made the comment "No, not if it was private". Why is that important? Why would you not fund it if it was private?

Ms Barnett: Well, clearly by that stage it really needed - it was quite clear from head office that there would have to be a process - a tendering process - if we were going to, and they would have to meet those requirements if we were going to go - I mean we have got - we speak about private parties entering the care -

Mr Glew: They currently go through a panel contract at the moment which would provide for 12 high-needs. That process is nearly complete. But, there would be a number of service providers - - non-government agencies - that we would be able to access to provide a fee-for-service type of arrangement, having been through a formal quality assurance process.

Hon KEN TRAVERS: Right, but that is the current situation.

Mr Glew: Yes.

Hon KEN TRAVERS: But back then, why was the fact that it was private - I mean, you had been funding a private organisation to run it by that stage for over twelve months. You may not have realised it, but you had.

Ms Barnett: Well, we had not been funding it -

Hon KEN TRAVERS: Well, you had been. I mean it was a private sector organisation that had been providing the services and I would have thought that by that stage you must have worked out that it was not the P&C that was providing the services, it was Michael Carton and his company.

Ms Barnett: Hmm. At that stage -

Hon KEN TRAVERS: In fact, I think you even said MITS and MITS is a private sector organisation. It is a private company. It is not a government - you said earlier that you were aware that MITS were providing the accommodation service. Why, all of a sudden, was it a problem that it was private rather than - at that point?

Ms Barnett: Well, when I said "aware of MITS", they were supporting it. But basically, as far as we were concerned, it was a comprehensive program run out of Balga Senior High School. When you take the Balga Senior High School component out, it was not the program that we thought that we were - it was not the program the way that it was established.

Hon HELEN MORTON: I am just interested in the kind of need for that sort of a program that you identified at the time that you were entering into it. Now, you did not have any panel tenders or contracts then, did you? So, you were identifying that this was an organisation that provided a service that you needed for your kids and young folk?

Mr Glew: At that time there were a number of different agencies that provided placement services. These kids were kids that were very hard to place.

Hon HELEN MORTON: So, it was difficult to place them into the other placement -

Mr Glew: Yes.

Ms Barnett: Mmm.

Hon HELEN MORTON: - services and somehow or another this service offered you something that you did not have anywhere else - is that -

Mr Glew: Exactly.

Hon HELEN MORTON: Is that need still there?

Mr Glew: Yes.

Hon HELEN MORTON: Is it an increasing need?

Mr Glew: Well, yes. Placements are extremely hard. You are probably aware that we have had a 20 per cent increase in kids in care over the past 12 months. It is a trend that we do not believe will drop in the immediate future. Of course, placing those kids becomes extremely hard. We are in a position at the moment - you would be aware - under the Ford Report we are going to do a series of group homes; first-level residential care. These kids would not be suitable for even that type of program. So, we would have to be looking at other types of programs. I mean, there has been money that has come into the department of child protection but, once again, there has been unprecedented growth in the number of kids that are in care at the moment.

Hon HELEN MORTON: But, you are not talking about 20 per cent growth in these types of kids, or are you talking about 20 per cent growth in these types of kids?

Mr Glew: We are talking about a proportionate increase -

Hon HELEN MORTON: Yes, okay.

Mr Glew: - so, we would have had this cohort of kids. If you look at a 20 per cent increase, then you will find that there is a cohort of kids within that 20 per cent that will certainly fit into this same category of client.

Hon HELEN MORTON: What is happening to those kids in the absence then of having anything like the Balga Works program? Where are they, when they are not there?

Mr Glew: We are trying to work a variety of arrangements at the moment where they are placed in foster care or they are placed in some sort of supported accommodation. We are trying to do it so that we minimise the number of placements. Sometimes it is hard. That is one of the reasons that this panel contract we are talking about now, and which we will finalise very shortly, will also provide a wrap-around service for those kids that are really at the high end. If I may, the “high end” involves a significant amount of cost per client.

Hon HELEN MORTON: Obviously, more so than a - I do not know what you would call, how you talk about “degrees of difficulty” with the children or youth you are talking about, but the higher the degree of difficulty the higher the cost?

Mr Glew: Yes; because you have all the add-ons that come as well. You are looking at 24-hour care and you obviously need accommodation. You just cannot put them into normal accommodation elsewhere. There are also the psychologists and psychiatrists; all the add-on costs that go with the client.

Hon HELEN MORTON: Were you aware that the education department started off, very early in the piece, paying what they call a “multiplier” in terms of extra money; but then withdrew that very early in the piece so that these kids were getting the same level of funding as other kids at the school?

Mr Glew: A multiplier in terms of -

Hon HELEN MORTON: “Degree of difficulty”, I suppose, is a way of describing it.

Mr Glew: Okay. Are you talking about Schools Plus?

Hon HELEN MORTON: I do not know what the name of it is.

Hon PETER COLLIER: Yes, that is the equivalent.

Hon HELEN MORTON: Is it? Yes. But, the Balga Works program was expected to run this program on what I would call “level funding” for all the “normal” kids.

Mr Glew: Yes.

Hon HELEN MORTON: Were you aware of that?

Mr Glew: I was not, no.

Ms Barnett: No, I do not think we were.

Ms Renshaw: I was not aware of what funding was -

Mr Glew: No.

Hon HELEN MORTON: I was just interested.

The CHAIRPERSON: Members and witnesses, we might take a five minute break. However, we will start again at five past three. Thank you very much.

Proceedings suspended from 2.57 pm to 3.05 pm

The CHAIRPERSON: We might recommence if that is okay. Hopefully we will conclude within the hour.

Ms Barnett: Okay.

The CHAIRPERSON: I realise it is a bit hard to estimate how long you are going to be here. We do not quite know how questions will pan out, as you can imagine, so thank you for your patience with that.

Hon PETER COLLIER: Just with regard to the delivery of the accommodation component, if I can just pick up on something Ken was saying. I know you have covered this - I think, Ms Barnett,

you gave us a coverage of this. With regard to who was actually providing the accommodation, you were always of the impression that it was the Balga Parents & Citizens Association; is that correct?

Ms Barnett: No, we were always of the - that it was linked in with the Balga high school.

Hon PETER COLLIER: Yes, but -

Ms Barnett: Because we were told initially that all of the employees of the accommodation were employees of the education department.

Hon PETER COLLIER: You were told that, were you?

Ms Barnett: We were.

Hon PETER COLLIER: So as far as the department was concerned, due diligence on all the employees -

Ms Barnett: That is right.

Hon PETER COLLIER: - was done by the department?

Ms Barnett: That is right.

Hon PETER COLLIER: It was not done by a private provider?

Ms Barnett: That is right.

Hon PETER COLLIER: So that is why, when the invoices came from Parents & Citizens, that tended to reinforce that as far as you were concerned?

Ms Barnett: Well, the problem is, the invoices went centrally, so I never actually saw any of the invoices.

Hon PETER COLLIER: Okay. What about then - sorry - as the -

The CHAIRPERSON: Can you tell me who told you that it was under the Balga - under the school?

Ms Barnett: Mike Carton.

The CHAIRPERSON: Okay.

Ms Barnett: When the program - we put the first young person into the program.

Hon PETER COLLIER: So Michael Carton was the one that confirmed to you that the school was providing the accommodation?

Ms Barnett: That they were employees -

Hon PETER COLLIER: Sorry, that the -

Ms Barnett: That all the employees at the accommodation were employees of the education department.

Hon KEN TRAVERS: Sorry; did Michael Carton present himself as an employee of the education department when he told you that?

Ms Barnett: No.

Hon PETER COLLIER: So who did you think Michael Carton was?

Ms Barnett: I guess I just did not make that connection. It was about - we were talking about the people at the accommodation service, and that they were employees of the education department.

Hon PETER COLLIER: So that you would have logically have assumed then that Michael Carton was an employee of the education department?

Ms Barnett: I did not give it consideration.

Hon PETER COLLIER: No, just as a matter of interest. I mean -

Ms Barnett: I know what you are saying, yes.

Hon PETER COLLIER: As a matter of interest, who do you think employed Michael Carton? What role did you think he played in the accommodation component of the program?

Ms Barnett: Well, he was certainly - I regarded him as the coordinator.

Hon PETER COLLIER: The coordinator of the accommodation component?

Ms Barnett: Mmm.

Hon PETER COLLIER: So I can take it then that you assumed then that he was employed by the department?

Ms Barnett: Well, I must have, but I just did not actually think about him per se.

Hon PETER COLLIER: Then as the problems stated to come through - and I am sure a number of the caseworkers would have articulated some concerns with regard to the accommodation component; is that right?

Ms Barnett: More towards the end, yes.

Hon PETER COLLIER: At that stage, though, they would have - I mean, certainly I am sure that there would have been discussions about Michael Carton from the caseworkers; is that right or not?

Ms Barnett: The caseworkers had a lot of time for Mike Carton.

Hon PETER COLLIER: Yes.

Ms Barnett: He spent a great - he was very, very committed - from what we could see, in our interactions with him and certainly all the feedback from the caseworkers, was his absolute commitment to these young people. The hours and hours - and he accompanied them - you know, he was absolutely committed to the young people.

Hon PETER COLLIER: So can I take it -

Ms Barnett: That is what was coming back to me.

Hon PETER COLLIER: So can I take it, from that then, that you assume - sorry, I might be misreading this - but you - I get the impression, Ms Barnett, that the problem, from your perspective, is not with Mr Carton, it was with the department. Is that what you are saying?

Ms Barnett: I guess if I look at it, how I view it, is that it was - the education department was starved of funds, so that started breaking down -

Hon PETER COLLIER: Sorry, the accommodation component or the education component?

Ms Barnett: The education component was starved of funds, so that started breaking down. That is that component. The accommodation component, the governance was not there. I mean, we did not get invoices -

Hon PETER COLLIER: No.

Ms Barnett: - for, you know, months and months and months. Then when we did start getting them, which was in the latter part of 2006, they were - some of them were duplicates, some of them were - you know, there was all sorts of issues. So, yes, when I talk about the overall governance, that is what we are talking about.

Hon PETER COLLIER: That is what I cannot work out. The actual invoices are very scant. I mean, they provide very little detail in terms of what was provided. Is that normal or standard practice with the department? I mean, what would you normally expect?

Ms Barnett: I do not actually see other invoices.

Mr Glew: Normally the agreement would actually clearly specify the amount that is to be paid out.

Hon PETER COLLIER: Sure.

Mr Glew: That is why there is the importance of having a contract signed.

Hon PETER COLLIER: Okay. You see, we have heard some issues with regard to the accommodation component. So as far as your department was concerned, the issues were - the responsibility for the issues in the accommodation component rested at the feet of DET, as opposed to anything else? Is that a fair appraisal of how you would perceive it?

[3.10 pm]

Ms Barnett: It depends what you see as issues at the accommodation service. At various times issues were coming to me about the accommodation that we were taking up with Mike Carton. I was called up to the member for Joondalup -

Hon PETER COLLIER: Tony O’Gorman.

Ms Barnett: Yes. Myself and another district manager met with Tony O’Gorman. A lot of it was around the anti-social behaviour around the units in Nottinghill. There were various issues coming from the accommodation. I do not think I have ever stated here that the accommodation was without issues. None of our accommodation for any facilities where this cohort of young people are residing is without issue with the local community, where they are located. Those concerns that were coming to us, many of them were not any different from what we get as a department for any of our accommodation services where there is a concentration of this cohort of young people.

Hon PETER COLLIER: I appreciate that. As I mentioned earlier, you took over the accommodation component in July 2006 but the invoices were so sporadic. I just wonder whether there was any follow-up in terms of someone getting on the phone to ring someone at the head office of the department saying, “What’s the story? We’re putting these kids up in Joondalup and we’re not getting any money. What’s going on?” Did that ever occur?

Ms Barnett: We kept saying to Balga Works, “Where are the invoices?”

Hon PETER COLLIER: You mean to Michael Carton?

Ms Barnett: Yes. “You have to produce the invoices. Where are they?”

Hon PETER COLLIER: That was on the assumption that Michael Carton was DET? Is that what you are saying?

Ms Barnett: What is the question?

Hon PETER COLLIER: You are assuming that Michael Carton was representing DET?

Ms Barnett: The invoices had to come from the accommodation section.

The CHAIRPERSON: In the absence of a service agreement, how were the invoices verified?

Ms Barnett: With the case managers. It is all documented. When a child went in there, we have also got what we call our placement forms so there are quite definite dates. That is why some of the young people were in and out. We can verify all of those dates.

Hon KEN TRAVERS: I want to make sure I understand the discussion you just had with Hon Peter Collier. Were you saying you were chasing up Balga Works to submit invoices for the services that they provided because they had not submitted the invoices?

Ms Barnett: We were still paying out on those invoices well after the time that we had young people placed in there.

Hon KEN TRAVERS: What timeframe are you talking about? Is this after you closed the program down and you were then trying to get the final lot of invoices out?

Ms Barnett: Yes, but I think the final one was paid in March this year. We had not had a young person in there since December.

Hon KEN TRAVERS: When you say you were trying to get the invoices, that was about trying to clear the slate?

Ms Barnett: That is right. Absolutely. Finalise it and finish it off.

Hon PETER COLLIER: You were saying that the invoices were quite specific etc. That is the issue that I brought up a little earlier. It just says seven hours for residential support services etc. That is pretty much across the board on the invoices.

Ms Barnett: The dates would be there - the date that they were claiming for. We could compare that to our forms confirming the date the young person was actually in there. When they did come through, a lot of the invoices were inaccurate or duplicate.

Hon HELEN MORTON: You were just saying to Peter that you knew that the education component of the program was starved of funds. How did you know that? How did you know that the education component of the Balga Works program was starved of funds?

Ms Barnett: A ministerial did come through. It was about us funding Balga Works. Our response was that we were not funding. I was then reassured at that time by Merv Hammond and Mike Carton that funds had come through, and that was confirmed by John Garnaut, that they had paid and that all the wages that they thought were outstanding had been paid. I know that there was a lag time. My understanding was that that had not happened.

Hon HELEN MORTON: You also said that the problems around the accommodation were no different to any concentration of young folk of the type that were being accommodated there. In your view, how many people constitute a concentration of young folk?

Ms Barnett: That was one of the issues up at the accommodation. Because they had those four houses all in a group, there were certainly far more young people in one area than what we as a department would have in one of our facilities. In any of our facilities, I think eight is about the maximum number that we would have in one facility, whereas in the end Balga Works had four houses - they were all back to back, all in one area. That in itself led to problems because of the numbers of young people who were actually concentrated in one area.

[3.20 pm]

Hon HELEN MORTON: Okay; thanks.

The CHAIRPERSON: I would like to ask: why was it thought that the accommodation component of the Balga Works program was initially located at ECU Joondalup campus?

Ms Barnett: Yes, I was curious when I saw that question. I do not know where that came from.

Ms Renshaw: It was not our understanding.

The CHAIRPERSON: It was in one of the caseworker notes that was presented.

Hon KEN TRAVERS: It was in numerous of the caseworker notes. A number of the caseworkers' descriptions in their caseworker notes talk about them being in an accommodation program being provided at ECU Joondalup campus.

Ms Barnett: Yes, I was never of that view. One of the first units that was actually developed, not at Nottingham - one of the units was actually behind ECU and some of the young people that were in that house actually joined or went to the gym at ECU, but, I mean, members of the public can join that gym anyway; that is not exclusive to the students at ECU. So I was never - I was surprised at that question, because - I mean, in its proximity, yes, it was close to ECU, but I was never of the belief that it was part of ECU campus.

The CHAIRPERSON: Would it be standard practice for caseworkers to visit the clients at their accommodation?

Ms Barnett: Yes; it just depends how often they saw them at the school - you know, it is standard practice to have regular contact with the young people and that varies as to whether it is going to be in their school setting or whether it is at the accommodation. I mean, that varies just right across the board.

The CHAIRPERSON: Renae is just going to -

[Witness shown document.]

Hon KEN TRAVERS: I should say that is one example, but in the case notes, when you go through, and I think it is almost as if someone has used a sort of a -

Ms Barnett: Right.

Hon KEN TRAVERS: They have done a cut and paste off previous -

Ms Barnett: They do cut and paste, yes.

Hon KEN TRAVERS: - applications for it, so someone has obviously - I suspect what has happened is someone has put it in the first time and then when they have done the same payments -

Ms Barnett: Yes; right.

Hon KEN TRAVERS: - for the CEO subsidy they have added it in, but I am just -

Ms Barnett: And I am surprised. Yes, this one has come from - yes. Well, yes, I mean, I certainly never held that view. I was up at that house that looked onto the back of ECU campus, but I was never ever of the view that it was part of ECU and I was not - yes.

The CHAIRPERSON: So would you have any idea, perhaps, how that misunderstanding might have arisen or have been perpetuated?

Ms Barnett: Well, I know, as Mr Travers suggested, about it being perpetuated because of the cut-and-paste nature of some of these. But after that question came through, I talked to some of the caseworkers - in fact, that very worker and she did not have - there was not any recollection - they did not know where that comment had come from. So that is why I am just surprised - I cannot really explain it. She certainly does not hold the view; she has got no memory of it.

The CHAIRPERSON: I think you might have perhaps covered this in passing with other questions, but was the lack of alternative placement options for young people a factor in placing young persons at the Balga Works program?

Ms Barnett: Well, it was certainly one factor. We had, as I say - we have talked about this - this was a cohort of young people that - I mean, there was a lack of placement options and there still is.

The CHAIRPERSON: What were the options back then?

Ms Barnett: Well, most of these young people had been through numerous foster care placements. They had been through our hostel facilities. They had been through non-government, some of the SAAP programs. As I say, the second one that we put in there from Mirrabooka had been expelled from Bindoon. So, really, that is what we were - with some of these young people, that is what we were faced with. The options are just really, really extremely limited. At the end of the day, I mean, we still - we would have had to have accommodated them and our fallback is always our own departmental hostels, but -

The CHAIRPERSON: Was there capacity in those?

Ms Barnett: Well, they are full most of the time. We are just - I mean, the placement situation is, as Steve said, even more so now with the almost 500 increase - the 20 per cent increase that we have had in children coming into care in the last 12 months has really more so exacerbated that problem. But your question was - I mean, that was one factor for us using the Balga Works program, but also - I mean, the program, we thought, really did meet the needs of these young people. When that program, that model, when it was first established, it was very impressive and

for some of these young people, it basically - they were more stable - the two or three that were in there long term - more stable than they had been in any accommodation or any education facility in their adolescence. So, on the one hand, yes, we used Balga Works because we were - placement options were really few, but on the other hand, the Balga Works program was very suitable for - the comprehensiveness of the program was very suitable for these young people.

The CHAIRPERSON: Would it be the case that some of the young people would be - the lack of accommodation options would mean that they would have to remain in custody or on remand or -

Ms Barnett: Unfortunately, that has happened from time to time.

Hon HELEN MORTON: Is it also the case that sometimes these young people who are not in juvenile detention would be homeless on the streets?

Ms Barnett: We will always - some choose to be on the streets, but we would always have to - we would always accommodate them in our accommodation service, but many, sometimes they will choose otherwise.

Hon HELEN MORTON: Did any of the people from Balga Works go back onto the streets?

Ms Barnett: Yes, from the information I have got in the last couple of days; yes.

The CHAIRPERSON: Just with regard to the decision to relocate the nine young people who were remaining in the Balga Works accommodation, I understand that decision was made on 30 November 2006. What was the sort of final thing that led to that decision, because it sounds to me there was an attempt to try and keep going to an extent because of a lack of options and in the hope that the program held out? What was, I guess, the final crunch?

Ms Barnett: Just as - I mean, we were trying to understand the whole thing ourselves and as more information certainly came through, it was obvious that the governance and what they were wanting to establish was not going to meet - was not going to be suitable. So the decision was made that we would discontinue and that we would have all of our - we would start at that point. Mind you, some of them, we had already been attempting to find alternative options.

The CHAIRPERSON: Could you be more specific about the governance issues? Which particular governance issues?

Ms Barnett: Well, it was just about the whole thing about some of the carers that - you know, his son was actually into the program. It was about just - I was being told by some of the case managers that they felt that the people now with Balga Works were actually undermining their attempts to get the young people into alternative education programs. There was a feeling that it was not focused, right then, on the needs of the young people. It was about if we continued in any way, there would have to be a governance structure over the top of this program, and that was not met with. There was nothing that looked as though it was going to be suitable for our needs. It was a number of factors that came into the governance.

[3.30 pm]

Hon PETER COLLIER: Sticking with that one, you mentioned that there were concerns with some of the carers. Were those concerns articulated from the caseworkers?

Ms Barnett: The one issue was that we had to ask Mike Carton to get his son off the program.

Hon PETER COLLIER: Was that the only occasion where a caseworker expressed concern about any of the carers at Balga Works that you were aware of?

Ms Barnett: No, basically not at the time. It was in hindsight.

Hon PETER COLLIER: None of the caseworkers on any occasion that you can recall came back and expressed concerns about any issues at Nottingham Street?

Ms Barnett: Yes, there were issues, but not specifically criticising a carer.

Hon PETER COLLIER: Okay. How often would they visit? What would be the norm to visit?

Ms Barnett: I cannot say the norm for visiting the accommodation, but certainly for visiting the young people. Now, our workers were down at the school once a week and we had our worker from Mirrabooka, the Aboriginal support worker, up at the accommodation weekly.

Hon PETER COLLIER: Was that BLANK?

Ms Barnett: Yes, that is right, BLANK.

Hon PETER COLLIER: I notice in the 14 September 2007 submission you said that BLANK, while he visited the young people at the school on most days, did not keep any records. Did he indicate any problems with the program?

Ms Barnett: Yes, it was BLANK who came to us in July-August.

Hon PETER COLLIER: What were his concerns?

Ms Barnett: He expressed some concerns about the two girls that the allegations were made about. He expressed concern about drugs and stolen goods being on the premises.

Hon PETER COLLIER: Are you talking about the school; this is the school?

Ms Barnett: The accommodation.

Hon PETER COLLIER: The accommodation?

Ms Barnett: Yes.

Hon PETER COLLIER: I am talking about the response to the question that says he visited the young people at school on most days, BLANK.

Ms Barnett: Yes.

Hon PETER COLLIER: But he did not keep any records or reports. Is that normal practice? Would you have expected him to provide any sort of written response?

Ms Barnett: BLANK role is Aboriginal support worker. It was a position that was implemented through the Gordon program - Gordon funding - and he is not a caseworker per se. His role is to make links with young people and form relationships. He is that someone in the community that particularly young Indigenous people can identify as being a safe person and is someone that they can go to if they are in trouble or if they are experiencing some form of abuse; he will actually walk them through the system. That is his role. It is a new role that has been in now for four years. He has not got a caseload. Yes, he works with the community of young people.

Hon PETER COLLIER: But he is not expected to keep any form of written reports?

Ms Barnett: Yes, he does make quarterly reports but they are more of a general nature. The recording of his concerns would have been done with his supervisor who was the clinical psychology team leader in the northern area. That is where the recording would have occurred.

Hon PETER COLLIER: It says in the response that he did not keep any records, reports or feedback regarding the young people he visited at the Balga Works program. If he did see any specific instances that concerned him, he obviously did not keep any written reports.

Ms Barnett: He reported that, then to case managers.

Hon PETER COLLIER: That is the process?

Ms Barnett: All the young people in there that we were involved with had case managers. It was the case manager's responsibility.

Hon PETER COLLIER: How often would the case managers visit the accommodation component?

Ms Barnett: That varied.

Hon PETER COLLIER: What would you expect?

Ms Barnett: I was confident because they were always taking the young people off to appointments and returning them. They were just naturally at the accommodation at varying times. Without making that necessarily formal, it was informal. There was not any expectation that you will visit the accommodation every week or every month, but they were up there.

Hon PETER COLLIER: Is there a departmental requirement that the caseworker visits someone under his or her charge once a week, twice a week or whatever?

Ms Barnett: The standard is that the case manager has some time alone with a young person on a quarterly basis, minimum.

Hon PETER COLLIER: Once every three months?

Ms Barnett: Yes, minimum, but, of course, we expect more, informally. That is the departmental standard, but we expect much more frequency than that.

Ms Renshaw: That is a requirement in legislation, I think - a statutory requirement.

Ms Barnett: It has always been for a number of years a departmental standard, but the expectation as the district director is that it be much more frequent than that. The standard is quarterly.

Hon PETER COLLIER: What would that expectation be?

Ms Barnett: At Balga Works, the staff at Mirrabooka were seeing them weekly because they were having weekly reviews.

Hon PETER COLLIER: They were going to the accommodation each week?

Ms Barnett: No, they were not going to the accommodation. The reviews were done at the school.

Hon KEN TRAVERS: I would imagine that if a child is in foster care and everything is going well and there are no problems at school or anything else, once a quarter might be quite reasonable and that is all that you would require. If they had been in long-term foster care with the same family and everyone is satisfied - depending on the intensity of the issues that the child faces, it would increase the intensity of the visits.

Ms Barnett: That is correct.

Hon KEN TRAVERS: You made a comment earlier about concerns about the carers and you said, "Not at the time". Obviously, later, in hindsight, you looked back and realised some of the concerns about some of the carers.

Ms Barnett: When we realised at the district office, it was after a news report came out that there was a carer there that we would not - how can I put it? We were amazed. That was simply because we had her child in care. We did not know that. She was there for a very, very short time. I do not know the ins and outs of that.

Hon KEN TRAVERS: How long do you believe she was there for?

Ms Barnett: As far as I know it was just a very short time.

Hon KEN TRAVERS: I suspect I know who you are talking about and it has been put to us that she was only there for two weeks but others may suggest she was there for a bit longer than two weeks.

Ms Barnett: I do not know the precise time. I think it was a short period.

Hon KEN TRAVERS: Obviously you had concerns about that person being a carer. What mechanisms would be in place normally to ensure that that person is not working in some other non-departmental agency caring for children today? How do we make sure that person is not re-employed somewhere else today based on using a CV that they used to work at Balga Works, for instance?

[3.40 pm]

Ms Barnett: She would have passed the criminal record checks and it is not criminal record we were concerned about. It is just that she does have a child in care. No broader concerns than that. I mean, she has not got a criminal record, so she would have her working with children and she would have her criminal record checks; so there is nothing. She could go to another agency and possibly work as a carer.

Hon KEN TRAVERS: Yes, but I mean you are expressing to us now that you have got concerns about the fact that that woman was a carer. What I am interested in is: how do we as a state put in place mechanisms to make sure that is somebody you have concerns about as a department but they are not caring in the future? How do we do that?

Ms Barnett: And right now there is not a mechanism for that. And I mean, you know, you asked me can I articulate my concerns exactly, and I would say no. I would just say that, well, she has got a child in care.

Hon KEN TRAVERS: No, and I understand the profession you deal with often it is a matter of you have got to take the precautionary principle of you cannot necessarily prove something or quantify something but you have also got, you know - and I do not envy your job at times in trying to make that balancing act between being fair to the person but also making sure that you are seen to have protected the children; so that people do not say with the benefit of hindsight, "You should have known that woman was not working there." I mean, it is a private hearing; are you able to mention the name of the person? I suspect I know who it is.

Ms Barnett: But it will still be recorded in *Hansard*, won't it?

Hon KEN TRAVERS: It is a private - it will not, unless the committee makes it public.

Ms Barnett: Right. **BLANK**?

Hon KEN TRAVERS: Yes. No, that will not be public unless the committee or the house -

Ms Barnett: Right; okay. I would be concerned if that was -

Hon KEN TRAVERS: - is made public, but we have other evidence about that person as well. So that is why I was -

Ms Barnett: Right.

Hon KEN TRAVERS: I want to go back. Those Aboriginal support officers, were they the ones that were placed and are in all the schools now?

Ms Barnett: No, they are not in the schools. No, they are attached to our district offices.

Hon KEN TRAVERS: But they spend time in schools based on -

Ms Barnett: Yes, where the young people are. Yes, they can at various settings.

Hon KEN TRAVERS: They are based on FTE; you know, if a school has got so many students in it.

Ms Barnett: No, they are not attached to the school. I mean, it is up to the Aboriginal support worker where he or she are going to make their connections with young people. So not every district has an Aboriginal support worker. They are actually allocated on the basis of the number of Indigenous people living in an area. So Mirrabooka has one, Midland - but Joondalup or Perth do not.

Hon KEN TRAVERS: Right.

Ms Barnett: So that is how they are allocated.

Hon KEN TRAVERS: So does the education department have their own Aboriginal support workers on top as well?

Ms Barnett: They have Aboriginal liaison officers, but I could not speak any more specifically about that.

Hon KEN TRAVERS: Was **BLANK** ever disciplined by the department?

Ms Barnett: Yes, he has been.

Hon KEN TRAVERS: What was that in regard to?

Ms Barnett: I think it is in the notes. It was in regard to passing on information to third parties. Yes, it was disclosure of confidential information to a third party and having performed work outside the department without supervision.

Hon PETER COLLIER: Was that with regard to Balga Works or a separate issue?

Ms Barnett: Yes.

Hon PETER COLLIER: Yes, Balga Works?

Ms Barnett: Yes.

Hon HELEN MORTON: I understood you to say from a variety of things that you have said that the lack of a suitable or robust governance structure is the reason that the program failed, and that if that governance structure had probably been better, it would still be operating and you would still be using the program. Who do you believe or what department do you believe is responsible for not giving the program the governance structure that it needed?

Ms Barnett: Well, I would have to say, I guess, the education department. The program was embedded and it was an education department program, but in saying that, I think that we would all have to take some responsibility for - if, you know, in hindsight, if the steering group had continued, you know, it was, yes, in hindsight. I mean, a governance structure would have been all the government departments that were actually placing young people there, that we would have been a body over top of Balga Works. So that would have been us and justice and education. So it would have been like a steering group, a reference group over top of Balga Works.

Hon HELEN MORTON: And at what level do you believe that that should have been operating? I am talking about departmental level. What level?

Ms Barnett: Probably at director level.

Hon HELEN MORTON: In terms of the education department, what level does that equate to?

Ms Barnett: That would be the district superintendent.

Hon HELEN MORTON: And in justice? I do not know their structure very well.

Ms Barnett: I cannot answer that.

Hon HELEN MORTON: Okay; that is fine.

Ms Barnett: Probably director level as well which, when you look at the steering group, I mean, it did not continue, but that was at the level that the steering group was at; it was at director level.

The CHAIRPERSON: There are a couple of questions I have got. There seems to be a discrepancy in the size of the files provided for each young person, sort of varying from 590 pages to 12. Is that fairly standard or would that be - perhaps you could explain that to us; we were puzzled.

Ms Barnett: Right. Well, when the request came through, the request was for any information on client files relating to Balga Works. So, for most of these young people, of course, we have got their file. So what we sent through was only that section of the file that related to Balga Works. So, I mean, a number of these young people have been with the department for a number of years and they have got numerous files. But of course the size of the files that came through to you would, obviously, directly relate to the length of time that they were in Balga Works, that an individual was

in Balga Works. So obviously those that were in there for more than 12 months or for long periods of time, you would have got more extensive information through than you would have for someone that was in there for a very short period of time. But for all of these young people, it is only a segment of their - you only got through what was their time with Balga Works. So that is the variation. I think, you know, the two files that are the biggest that you got through were for young people that were there for more than 12 months.

The CHAIRPERSON: Child D, who was there from the twenty-fifth of the ninth '05 to the twenty-first of the twelfth '06, for which there seems to be very little documentation.

Ms Barnett: Child D?

The CHAIRPERSON: Yes. If you want to take that on notice just to check that out.

Ms Barnett: I will take that on notice because that was not a Mirrabooka one; so I do not know.

The CHAIRPERSON: So that was not one you were directly -

Ms Barnett: I do not know the answer to that. No, it was not a young person that I was directly related to.

The CHAIRPERSON: If you could provide us with some more information on that, that would be useful.

Ms Barnett: So, the question is, the information you want?

The CHAIRPERSON: Just in regard to that particular child, it seems that even though they were there for a considerable amount of time, there was very limited documentation.

Ms Barnett: Okay.

The CHAIRPERSON: I have just one final question that was, I guess, an overarching one. I mean, were you satisfied from your position that there was a suitable level of duty of care being provided to those young people who were the responsibility of your department in the program? Were you satisfied that that was being provided while they were there?

Ms Barnett: Yes, I was. I felt - I can speak specifically about Mirrabooka -

The CHAIRPERSON: Yes.

Ms Barnett: And we had the most young people there, and all of our case workers had constant contact with those young people placed in that program; and also **BLANK** was a feature of supporting that program as well, and in there a lot. So, yes, in my view we knew what was happening and a lot of those young people had some very good outcomes whilst they were in that program and some opportunities that they would never have had otherwise.

[3.50 pm]

Hon KEN TRAVERS: What is the driver of the 20 per cent increase in the students - young people? Have we been able to identify what is causing that?

Ms Barnett: We are still kind of - well, it is still very new - in the last 12 months. Certainly we had new legislation that came in in March 2006, but that is not the total story. That is one aspect of it, but certainly the increase in - well, the level of drug taking amongst the parents that we are dealing with is another factor but to actually be definitive on why we have had this 20 per cent increase is still, we cannot be definitive right now. It is a number of factors.

Hon KEN TRAVERS: Right. I want to go back to - in terms of when concerns were raised, I would have thought that anything that goes to the abuse of the child would be given a fairly high priority. Is that -

Ms Barnett: Yes, absolutely.

Hon KEN TRAVERS: And particularly inappropriate relationships. I just would not mind getting more detail about when the original issues were raised in February about inappropriate relationship with a 14-year-old girl what action the department would have taken at that stage to try and establish the validity or otherwise of those allegations.

Ms Barnett: Well, she actually denied at that time that anything had happened.

Hon KEN TRAVERS: And if the person who is alleged to have been involved in it denies it, is that the end of the story, or would you seek to try to verify it by trying to talk to others, apart from the - I think we can call her the victim of the abuse in this circumstance. If they deny that they were abused, is there no other follow-up to try and establish whether there was any validity to the allegation?

Ms Barnett: Well, the case manager talked to her around that whole, you know, what was said, what was not said, and the case manager's assessment was that in her view nothing had happened.

Hon KEN TRAVERS: So that was based on purely the word of the - there would be no other -

Ms Barnett: Yes, but it was not just, "What happened?" "Nothing happened." That just was not the full discussion.

Hon KEN TRAVERS: Right. Later on, you say that the allegation - in the evidence - the submission that was put in - the police have been informed of the alleged incidents by Mr Michael Carton. Is that right? So he had actually -

Ms Barnett: Well, we had talked to them as well. He had reported it, but we had discussions with the police child abuse unit.

Hon KEN TRAVERS: So he had reported to the police both allegations of abuse?

Ms Barnett: Well there was only the - he reported this one, the 17-year-old.

Hon KEN TRAVERS: Right

Ms Barnett: But we had, I mean, it should have been added there that we had discussions with the police child abuse unit.

Hon KEN TRAVERS: I guess my other concern - question - is that in a situation like that, once the allegation has been made, although - the way you are saying - I do not think it is a technicality but because of the particular circumstances you were not able to charge the individual but it would appear to me that this individual would be completely inappropriate to be caring for people in the future.

Ms Barnett: That is right.

Hon KEN TRAVERS: What process is in place to ensure that person does not work? Is there a process in place to ensure that person does not care either here or in other parts of Australia in the future for young people?

Ms Barnett: No, because he has not been charged with any crime.

Hon KEN TRAVERS: But we have established that he had - I accept he has not been charged.

Ms Barnett: The police - if he had been a carer in the house that she was in, the police could then have charged, okay, because he was in a position of authority over a young person.

Hon KEN TRAVERS: Someone under 18 as opposed to -

Ms Barnett: Yes, but the police said that because he was not over her - like, he was not in - he was not a carer in the house that she was in, that they then could not charge him. So, he has got no criminal - he has not been charged. There is no criminal record. So, if he went, yes, he could still provide - be a carer.

Hon KEN TRAVERS: Yes. I guess that is the police's view, but I would have thought he would - that girl would have been under his care and protection at various times when he was taking her out in the cars or whatever.

Ms Barnett: I have to say that we were quite surprised but the police said it just would not stand up. He was not - they would have to demonstrate that he had the authority over her in a carer situation and they said that they would not be able to establish that given the circumstances.

Hon KEN TRAVERS: Yes. It still worries me. I do not know how we can resolve it. Even though he has not been charged, he could potentially if someone - whoever it is, he could - I think in this room we are all agreeing that his behaviour was completely inappropriate just because he has not been charged, it strikes me. I guess my final question was: what do you think of the essential issues - I think you may have touched on it earlier with the question from Hon Helen Morton, but I think you have all said that this program, in theory, was a very good one and if you were seeking to establish this program today again from scratch, what are the essential elements that we would need to be putting in place to make sure that it works and is able to survive, a program along the lines, from the department's point of view, what would make it work so that we actually had a program like this that was able to survive and go forward?

Ms Barnett: I certainly think the overarching structure would be extremely important. I do not know that the department would enter or have children going to such a program. That is why we are going out to tender right now for certainly an accommodation program that would be satisfactory, that would actually provide for the needs of this cohort of young people.

Mr Glew: It is one of those questions which requires a lot of the things to fall into shape but you would also need to (a) ensure that there is a school that is prepared to have these particular clients to come as a larger group within the school, and then you have got the accommodation side, which can either go in-house or it could go to a non-government sector organisation, and you have to go through a process with them about if we had the funds, how much would it cost and what sort of service would they operate.

Hon KEN TRAVERS: I guess, the problem I have, which is one of the problems of getting Balga Works up, was you have got all the different agencies operating in their areas and I think you made the comment earlier that this was a wrap-around program, that it did provide that holistic approach and for the sort of children we are talking about - again, correct me if I am wrong; I got the impression that you are suggesting that for these young people, they actually need that complete holistic wrap-around service - having accommodation here, having schooling here and other needs being met over here. That is actually one of the reasons that it does not actually work. These are people that need that intensity so that they are constantly -

Ms Barnett: Consistency.

Hon KEN TRAVERS: And consistency throughout those three - all areas of their life, and whether it is a combination of schooling. How do we get that mechanism in place? How do we put that government structure in place? Any ideas?

Mr Glew: I am not sure that I have the answer for you here.

Hon PETER COLLIER: Take it on notice.

Mr Glew: Okay!

Ms Barnett: It has to be all of government and all the departments really involved at an equal stage so we have our bit and the education has their bit so it really is a very integrated service. But it has to be an all-of-government approach.

Mr Glew: You also have to cater for the individual needs of the child as well. Here we had a group of kids that were going to one high school but it may be that they want to go to John Curtin or

they might want to go to some school that can actually respond to a particular interest and therefore you would be involving a host of schools, not necessarily just one site.

[4.00 pm]

Hon KEN TRAVERS: I can understand that. I get the sense that just getting these - some of the kids we are talking about or the young people we are talking about on this occasion just -

Ms Barnett: Into education; that is right.

Hon KEN TRAVERS: - getting them onto a school ground they would not even know what was being offered at John Curtin or Balga at the moment.

Mr Glew: No, they would not, but still -

Hon PETER COLLIER: Corridors - I swear by it.

Hon HELEN MORTON: Something did just occur to me that I would like to ask you: post the failure of this program, we have seen Merv Hammond and Michael Carton targeted for blaming, blamed for the failure, in some respect. Do you think that they are the correct targets?

Mr Glew: I am not sure that is a question we can answer.

Hon HELEN MORTON: Do you think that there are - you said something about shouldering the blame across departments, but do you think that there is another area of focus that should be considered for why this particular program did not succeed?

Ms Renshaw: I do not think we focused on blame, really, so we have not really thought that through.

Mr Glew: Sorry, no.

Ms Barnett: Yes, I think -

Hon HELEN MORTON: You look like you want to say something.

Hon PETER COLLIER: Just one really quick one: what qualifications do you need to be a carer?

Ms Barnett: Well, many of the carers - it seems to be stipulated in the tender - a lot of them have certificate 3.

Mr Glew: Yes, they normally have a cert III or something.

Ms Barnett: Cert III. You certainly have to have all the clearances: police, and now working with children check.

Hon PETER COLLIER: Cert III in what?

Ms Barnett: Child care or child care.

Mr Glew: Can I take that question and I will get you some more accurate information?

Hon PETER COLLIER: Yes, I would just be interested to know that because, I mean, Josh Carton was a carer, was he not? He was 19 and I doubt very much that he had too many qualifications in terms of being a carer, as it were, and I just wonder if there were people like Josh Carton and so on that were carers at the accommodation component, if it is a serious question mark over whether or not we had suitably qualified people that were carrying out the service delivery. So, there is no -

Ms Barnett: Shall we take that question -

Hon PETER COLLIER: As far as the department is concerned, there is no prescribed qualification that you need to have to be a carer?

Ms Barnett: Well, for us, I mean, our departmental carers are going through the assessment process.

Hon PETER COLLIER: The what, sorry?

Ms Barnett: We have many categories of carers but our - like our foster carers - is the assessment process and all the checks. To be a carer per se, you do not necessarily need a qualification.

Hon PETER COLLIER: Thank you.

The CHAIRPERSON: Helen, do you want to have another go?

Hon HELEN MORTON: I would love to but I will not press my luck.

The CHAIRPERSON: Thank you very much for your time this afternoon, we appreciate that, and we will end the hearing here.

Hearing concluded at 4.02 pm.
