

**STANDING COMMITTEE ON
ESTIMATES AND FINANCIAL OPERATIONS**

2011–12 AGENCY ANNUAL REPORT HEARINGS

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 8 OCTOBER 2012**

**SESSION TWO
DEPARTMENT FOR CHILD PROTECTION**

Members

**Hon Giz Watson (Chair)
Hon Philip Gardiner (Deputy Chair)
Hon Liz Behjat
Hon Ken Travers
Hon Ljiljanna Ravlich**

Hearing commenced at 11.05 am

MURPHY, MR TERRY

Director General, Department for Child Protection, sworn and examined:

BYRNE, MR PETER

Executive Director, Corporate and Business Services, Department for Child Protection, sworn and examined:

BEAMISH BURTON, MRS PHILIPPA

Acting Director, Business Support and Coordination, Department for Child Protection, sworn and examined:

BENHAM, MS KAY

Executive Director, Policy and Learning, Department for Child Protection, sworn and examined:

The CHAIR: On behalf of the Standing Committee on Estimates and Financial Operations, I welcome you to the hearing this morning. Before we begin, I am required to ask witnesses to take either an oath or an affirmation.

[Witnesses took the oath or affirmation.]

The CHAIR: You will have signed a document titled “Information for Witnesses”. Have you read and understood this document?

The Witnesses: Yes.

The CHAIR: The hearing is being held in public, although there is discretion available to the committee to take evidence in private either at its own motion or at the request of a witness. If for some reason you wish to make a confidential statement during this morning’s proceedings, you should request that the evidence be taken in closed session before answering the question. The proceedings are being recorded by Hansard and a copy of the transcript will be provided to you. The committee reminds agency representatives to respond to questions in a succinct manner and to refrain from making personal observations. It would assist Hansard and the committee if you would please quote the full title of any document that you might refer to during this morning’s session, and please be aware of the microphones and try to speak directly into them. Members, it would assist Hansard if you could give the page number in preface to your questions when referring to the annual report. Government agencies and departments have an important role and duty in assisting the Parliament to review agency outcomes on behalf of the people of Western Australia, and we value your assistance in this process this morning.

For the benefit of members and Hansard, I ask you to please introduce yourselves.

[Witnesses introduced.]

Hon SUE ELLERY: Folks, can I start with the key effectiveness indicators on page 44? The one I want to look at is the proportion of children who have been abused by caregivers while in the CEO’s care, so this is children in the care of the department. Table 20 refers to 0.348 per cent as being the result—that is, the proportion of children in the care of the CEO. How many children is that?

Mr Murphy: Sixteen.

Hon SUE ELLERY: That is a significant increase on previous years.

Mr Murphy: It is a significant increase from the last few years, absolutely. It is back to the level that last occurred in 2003-04.

Hon SUE ELLERY: Obviously, there are privacy considerations about the individual children concerned, but what can you tell us about the nature of the cases, given the significant increase?

Mr Murphy: A number of things. Firstly, as it says in the annual report, this reflects, in the main, four groups of siblings, so there were four substantial placements there. The second thing I would say is that we are very rigorous about these issues, and we spend a lot of effort detecting and investigating and then redressing those issues when they occur. So, on that level, I am pleased to say that the system has worked.

The nature of the abuse involves a single case of sexual harm, which occurred due to a grandparent visiting the home in which the children were placed. The other cases involve emotional harm, seven children; and psychological harm, two children. As members would appreciate, these are issues that are difficult to judge, and we err on the side of substantiating harm rather than not. There were six cases of physical harm, and I would remind members that all corporal punishment of children who are in foster care is against policy. I would note that one of those cases includes a child who was physically harmed while at a rehabilitation centre in the Northern Territory. That centre has since been closed. So, once again, I think that emphasises the strictness of our approach in defining these cases.

I would make one other point, and that is that this is an indicator that is measured nationally on much narrower criteria—that is, where harm occurs as a result of a person living in the household. In the last reported year, Western Australia had the lowest rate nationally of harm occurring in care by a person living in the household.

Hon SUE ELLERY: You may have referred to this—sorry; I was trying to write the numbers down—but are we are talking about all of them being in foster care as opposed to being in departmental residential?

Mr Murphy: Yes, except for the one who was in residential care in the Northern Territory.

Hon SUE ELLERY: The language in the report refers to four groups of siblings, which I will come back to in a minute, but I just want to get clear my head again whether that means we are talking about four different caregivers?

Mr Murphy: Four different carer households; that is right.

Hon SUE ELLERY: Were charges laid against any of the people who were found to have abused the children?

Mr Murphy: From recollection, for the single case of sexual harm, there have been charges laid.

Hon SUE ELLERY: Do any of those people who were found to —

Mr Murphy: Sorry; and the case in the Northern Territory.

Hon SUE ELLERY: Do any of those caregivers still have children placed with them?

Mr Murphy: No.

Hon SUE ELLERY: I know you referred to a grandparent. Can you tell me were they all relative foster carers, or what is the breakdown? How many were with relatives? How many were with general foster carers?

Mr Murphy: Of the 16 children, 11 were with relative carers, four with general carers, and then the one in the Northern Territory.

Hon SUE ELLERY: Are we talking about metropolitan Perth? Are we talking about the regions? What are we talking about?

Mr Murphy: That I would have to take on notice—sorry, very short notice!

Hon KEN TRAVERS: I wish all departments were as quick as you.

Mr Murphy: We will note that.

Hon KEN TRAVERS: You set yourself a high standard now, of course.

Mr Murphy: It looks like just the two were in the country, including the one in the Northern Territory.

Hon SUE ELLERY: Can I just ask you some questions about the way the material was provided to us in the annual report this year and the key effectiveness indicators? Because I have no life, I went back over the previous reports to 2000–2001, and in all of those previous reports the information provided in the respective tables in here, including table 20, includes not just the year of the annual report compared with the previous years, but it goes back over five previous years. That is my first issue: why was that information provided in a different way, so we are not able to quickly go back? An ordinary person reading this can tell that the number is significantly higher than last year, but there is no way of tracking a trend.

[11.15 am]

Mr Murphy: Just checking that one, what we have reported are the numbers we gave the Auditor General, essentially, and what the Auditor General approved.

Hon SUE ELLERY: Why did you give the Auditor General then the numbers not going—I do not understand why you would do it differently?

Mr Murphy: This is not a conspiratorial effort; it was simply presenting the data as simply as we could and not giving a comparison that was not necessarily part of our reporting requirements. But obviously, if there are any queries, we are open to digging out the information ourselves and providing it.

Hon SUE ELLERY: It appears in your previous annual report, so you do not even have to dig it up; it is there.

The other thing I noticed there that was different in all of the previous reports going back to 2000–01, is that immediately underneath that table it would include words like “This represents X number of children.” This year it says —

The 2011-12 result is mainly due

Which is an interesting turn of phrase in any event —

to four groups of siblings.

I think “mainly due” is an interesting turn of phrase, as if it is somehow the children’s fault, which I am sure is not what you want to suggest. Why have you not given the actual numbers there?

Mr Murphy: We thought it was actually clearer as to what had occurred to highlight that it was mainly due to four groups of siblings. They represent three-quarters of the 16, and, given that one of those 16 had also occurred at a residential facility in the Northern Territory, highlighting that four groups of siblings were involved indicates that that is four main placements and we thought that that was actually clearer.

Hon SUE ELLERY: Those of us who might look for conspiracies, given that this is not the first agency where we have raised the way that information has been provided in annual reports—by “we” I am not talking about the committee; I am talking about the opposition—the conclusion might be drawn that that is such a significant increase in the number of children abused while in care that that is why you did not include the actual numbers of children. With that sentence, you could just put a comma at the end of “siblings” and say, “That represents 16 children.” If you want

to make it clear, which is the reason you have just given the committee; that is the way to make it clear.

Mr Murphy: Thank you, we will take that on board.

Hon SUE ELLERY: I turn to staffing numbers on page 96 of the annual report. Table 35 sets out a number of staff as at 30 June 2012. If I just stick with permanents currently, which is 1 787, are you able to tell us how many vacancies you have now?

Mr Murphy: Yes, but the figure at 1 787 refers to a head count, whereas all our day-to-day reporting is on FTE, so it actually combines the full-time head count and the part-time head count into FTE, which is frankly much more useful for our purposes. At the end of the financial year, how many vacancies we had in the department as a whole on FTE was 154.

Hon SUE ELLERY: What did you say that was at?

Mr Murphy: End of June.

Hon SUE ELLERY: And now?

Mr Murphy: Just give us a second. We would have to take that on notice, we only have the June reports.

[Supplementary Information No B1.]

Hon SUE ELLERY: For the purposes of the most recent discussions about the cap on full-time equivalents, what does it mean? Can you explain how that cap will affect you?

Mr Murphy: This is our second year with a cap. As I explained to the committee on an earlier date, between vacancies, turnover and the way the cap is measured, we are confident that we can manage within that cap. Last year, even though we managed within exactly the same cap, we were able to take on additional child protection worker positions and manage our staffing to still come in slightly under the cap last year. There is no agency that will voluntarily employ less staff, because, of course, we in government do important work and the more staff you have, the more you can do. However, we are very confident that our staffing levels are adequate at this time to meet the level of demand. I would note, for example, that a continuous reality of our work is that there is a number of cases that are monitored. It has always been the case and this is how we manage demand. We prioritise between those cases, we make referrals out to other agencies and so on. The number of monitored cases at this time is the lowest it has been in the last five years.

Hon SUE ELLERY: Of those vacancies, so 154 as at 30 June, how many of those vacancies are caseworkers?

Mr Murphy: We will just scramble around for the relevant piece of paper again. Sorry, I am just going between a couple of reports at the moment. The answer is 51. It has just been pointed out that the figures we are using were actually from the end of May not the end of June, if I may correct that. This is the trouble with trying to answer all the questions and not taking them on notice, I have two reports with the same heading marked “June”, with different numbers. I will just go to the accurate one.

Hon KEN TRAVERS: Obviously one was intended for the committee and one was intended for your purposes! So if we could have yours this time, maybe!

Mr Murphy: Ken, you are welcome to both!

I had actually jumped to the wrong number; there were 42 caseworkers as at the end of the year.

Hon SUE ELLERY: Was that 154 figure right for 30 June as well?

Mr Murphy: No, I will have to correct that because that was the May figure. The June figure is 141.

The CHAIR: I will go to Hon Ken Travers, and I will follow up on this one.

Hon KEN TRAVERS: Have you received your letter from the Treasurer or the Under Treasurer indicating what additional savings are required for this financial year?

Mr Murphy: Yes.

Hon KEN TRAVERS: How much are you required to save and what was the FTE cap imposed as a result of that in that letter?

Mr Murphy: Our FTE cap has been reduced from 2 230 to 2 227, so it is a reduction of three FTEs. As I indicated earlier, we are confident of managing demand within that cap. The financial saving is approximately \$1.5 million.

Hon KEN TRAVERS: If it is not through FTEs, is that intended to be predominantly leave?

Mr Murphy: Predominantly through procurement savings—buying less things.

Hon KEN TRAVERS: What is your total expenditure normally on buying “things”?

Mr Murphy: I will just have us rifle through a piece of paper!

Hon SUE ELLERY: Do “things” include things for children?

Mr Murphy: It does, because it is an overall cut on all non-salary figures, so yes. That is not an area we would cut though; we will keep our per child expenditure constant and will seek savings in other areas where we can.

Hon KEN TRAVERS: So, what is the figure of your expenditure on “things”?

Mr Murphy: Can I come back to you in a moment in that?

Hon KEN TRAVERS: If you are going to come back to me, when you give me that figure, can you tell me how much of that is spent on providing things like case support for children? I would be interested to know what that \$1.5 million is as a percentage of your discretionary expenditure, for want of a better term.

Mr Murphy: Yes, if Pippa can beaver away at some numbers there on our budget statement, we will have that for you.

Hon ALISON XAMON: I want to pick up on this issue of the caseworker vacancies. Could you please tell me where the vacancies currently are by district?

Mr Murphy: As at the end of June, where they were: 0.5 in Armadale, two in Joondalup, one each in Mirrabooka and Midland, 1.5 in Perth. In the country there were five in the goldfields, which is considerably down on previous months; four in East Kimberley; 1.2 in West Kimberley; 7.5 in Murchison, which has been a tough area of recruitment for us for a while; 0.5 in Peel; seven in the Pilbara; seven in the south west, which is unusual and we would be confident of filling those fairly quickly; and three in the wheatbelt. Plus, there is an additional position at our joint Child Protection and WA Police unit ChildFirst.

Hon ALISON XAMON: In terms of the figures for the regional vacancies, what percentage would that be, going through each region, of caseworker FTE?

Mr Murphy: As a total of country it is just over 10 per cent.

Hon ALISON XAMON: Are you able to give a breakdown per district as well—what it would be percentage-wise? You have just given me specific FTE figures per district, but I am interested to know what that represents in the district vacancy.

Mr Murphy: I would not be as confident doing that off the top of my head on all of them. As a total though, we are talking about 36 out of 348. That is just over 10 per cent, but we will give you the per district figures on notice, if we may.

Hon ALISON XAMON: Yes, please.

[Supplementary Information No B2.]

Hon LIZ BEHJAT: On page 26 of the annual report, “Mandatory reporting of suspected child sexual abuse”, I notice here that mandatory reports that instigated an assessment are 1 191 assessments, taken from a total 2 013 reports received, some mandatory, some non-mandatory and some not instigating an assessment. Footnote (c), which goes with that figure of 1 191, states —

The 1,191 mandatory reports that instigated an assessment related to 1,898 children.

That would seem to indicate that we have some reports there where we have multiple children being sexually abused. Explain to me why there are more children than there are reports.

[11.30 am]

Mr Murphy: Essentially, two phenomena occur, but often a single report can relate to more than one child. There are occasions on which also we have multiple reports about the same child, perhaps from a teacher and a nurse, which obviously occurs less often.

Hon LIZ BEHJAT: You can take this on notice if you are able to provide it. You have quite a lot of information in there about where the reports have come from. Can you provide us with a breakdown of Aboriginal and non-Aboriginal, CALD backgrounds and metropolitan and non-metropolitan—in those four major categories?

Mr Murphy: We will take that on notice. Aboriginal and non-Aboriginal we are pretty confident on. Metropolitan and non-metropolitan we are totally confident on. The CALD figure will be less reliable only because the reporter does not necessarily report that information, and it depends on the progress of the report and whether it is filled in later.

[*Supplementary Information No B3.*]

Hon SUE ELLERY: Can we turn to page 101 and “Discipline investigations”. This is related to misconduct, which is identified according to a number of criteria. The first one in table 43 is personal behaviour, which is defined as including inappropriate physical contact, threatening behaviour and unprofessional communication. There were 56 allegations; 22 of those were substantiated. What I notice that is different from the previous year is that last year there were 42 allegations and, of those, only five were substantiated. It is an increase in the number of allegations, and a significant increase in the proportion of those allegations that were then found to have been substantiated. Thirty-nine per cent of the allegations were substantiated in this reporting period as opposed to 11 per cent in the previous reporting period. What can you tell us about those?

Mr Murphy: I will make some general comments; beyond that we would have to look at each of the cases. This is also an area in which we are increasingly strict on requiring reports to be made and investigating those reports thoroughly. It is not to say we have not investigated them thoroughly before; however, the organisation has improved year on year in terms of its identification and investigation of these behaviours. Most of them I would emphasise, however, relate to unprofessional communication or physical contact where, once again, we are very, very strict, particularly in residential care, in how we are able to relate physically to children who are themselves acting out in their behaviour. If we receive an allegation, we are a lot more open to that and we have a pretty light definition of what is acceptable and not. A reaction of pushing a child is likely not to be acceptable in our settings, whereas, in an everyday home, that would not constitute a physical harm or improper physical behaviour. I can only make those general comments. We do not see this as an area in which there is an increased level of problem occurring in our facilities. In fact, we would argue the contrary; that is, our residential facilities have been operating better year on year and last year very substantially. In terms of the number of critical incidents that are reported, staff retention and other indicators and the sheer health of those facilities, we are very confident in how they are operating.

Hon SUE ELLERY: So it is absolutely clear, this relates to employed staff of the department as opposed to foster carers, so it is just employees. You may have this information and you may not but of those substantiated, can you tell us how many of those were physical contact, how many

were threatening behaviour, how many were unprofessional communication and how many were a combination of any of those criteria?

Mr Murphy: I will have to take it on notice.

[*Supplementary Information No B4.*]

Hon SUE ELLERY: I take you now to the Kath French Secure Care Centre on page 14, which has been open for the entire reporting period. It is the locked facility where children can be held for therapeutic intervention for three weeks at a time. The act provides for the appointment of independent assessors who may enter the facility, check into the practices, talk to any children and look at any documents. They may be requested to come in by a child; they may be requested to come in by a relative or guardian of the child. But the annual report does not tell us anything about that. Can you tell us how many assessors were appointed? How many visits did they make to the Kath French centre?

Mr Murphy: I am debating in my mind whether to do all this from memory. If it could be subject to any correction, we have four assessors appointed. They made two visits in the last year. They made one very recently, subsequent to that, in this financial year.

Hon SUE ELLERY: Can you tell us how many of those were at the request of the child or at the request of a relative or guardian?

Mr Murphy: They were all instigated by me.

Hon SUE ELLERY: Would you consider providing that information in future annual reports? I ask that because you will recall that those provisions went into the act as a result of Parliament raising that issue. I think it will be useful for the Parliament if we are able to see that information in future annual reports. The assessor is also required to provide a report to the CEO as a result of the visit. Were those reports submitted; were recommendations made about doing things differently; did you act on the recommendations? What can you tell us about that?

Mr Murphy: Each of the reports contained recommendations. I preface that by saying each of the reports was also very positive about what they found. They speak to staff, children and relatives if they can but mostly staff and children and they review files. Each of the reports said the unit was functioning well. The most significant of things that were recommended was the change to the physical layout of the unit. There is a time-out room in the unit that young people can be kept in for a limited period, until they cool down. We try to use it only rarely but it is used. It was very badly located. You might remember that the centre was adapted rather than built from scratch. As a result of the first report, we immediately changed the location of that room to closer to the lounges where the residents are rather than right at the front closer to the front entrance and the administration offices. We were able to do that because their usage has not been as high as we planned for, which we regard as a good thing. That has been instituted. The other recommendations were not as significant in nature and were all around specific policies and procedures—for example, searching children's belongings and the like. That was certainly the most significant where it was very good to make a change. All the recommendations we consider, make a decision on, action and keep a running tabulation of the action we are taking.

Hon SUE ELLERY: Of those 45 children who were admitted to Kath French, can you tell us the average length of the stay and what was the longest; how many children stayed for what period; whether any children have been admitted more than once; and whether any children have had their times extended? The act provides for 21 days and a possible extension beyond that.

Mr Murphy: I will answer in general terms and provide specific information on notice if I may. Most of those children were in for about 10 days—even a little less than that, as I recall. That is subject to more accurate information. There have been a few re-admissions and there have been a couple of extensions for a second period of 21 days. For the most part, our experience is mirroring that of Victoria's, but our length of stay is a bit longer. From memory, their length of stay is about

eight days. I think our length of stay will probably reduce over time as we more effectively engage the large number of agencies that have to be engaged in re-instituting a viable program for these young people. By definition, what is happening for that young person has essentially broken down and their behaviour is out of control; they are a risk to themselves and others. So the period in secure care is really, as we debated the bill in Parliament, all about re-instituting a viable program for that young person, and that is hard.

Hon SUE ELLERY: Given you might have to check your actual numbers of some of those things —

[Supplementary Information No B5.]

Hon ALISON XAMON: I note that you did not answer Hon Sue Ellery's question about whether the future assessors' reports might be included in any future annual reports. Even if they are not included within the annual reports, is there any possibility that the assessors' reports will be made public in some form?

Mr Murphy: I think Hon Sue Ellery asked that we report in the annual report how often those assessors were engaged, by whom, how many reports and how many recommendations they made. We are quite happy to consider that.

Hon ALISON XAMON: Sorry to interrupt, but I imagine that will be more useful than getting figures finding out qualitative information in terms of recommendations as well, similar to what the Counsel of Official Visitors currently does, in that they are specific about the sorts of recommendations that they put to government and the observations they make to government. I am interested to know whether there is any suggestion you will be undertaking that type of reporting and making it public.

Mr Murphy: Once again, we are quite happy to consider that suggestion. The reports are not made public as a general rule; however, of our own volition we provide them to the children's commissioner, largely as a matter of course and, of course, like any report of that nature, they are subject to freedom of information, so they are not confidential as such. No we do not make them public as a matter of course.

Hon ALISON XAMON: Does the Advocate for Children in Care, referred to on page 17, visit the centre?

Mr Murphy: The Advocate for Children in Care would visit the centre only if a specific child requested her to do so.

Hon ALISON XAMON: Has that occurred to date?

Mr Murphy: No, not to my knowledge.

Hon ALISON XAMON: How would a child even know that that was available as an option?

Mr Murphy: Children are given a series of information as to their rights of appeal and how those appeals work. They can appeal against their admission. That has to be heard by an independent executive director in the first instance. They can make an application to the State Administrative Tribunal. That has to occur, from memory, within 48 hours, or —

[11.45 am]

Hon ALISON XAMON: How are the children given that information? I imagine at the point at which they are admitted to the Kath French centre they must be—well, invariably—at a high level of distress, so how is this information being conveyed to them in a way —

Mr Murphy: Provided in writing.

Hon ALISON XAMON: And so they are expected to sit down, even in that period of deep distress, go through it in writing and then basically call on that advocacy.

Mr Murphy: What is important is that the children know that they can make appeals. They do not have to remember the right formula for doing so because they can ask a staff member how to do it at any stage of their visit. They are provided with both verbal and written material about their rights, that they can make an appeal about their admission, and they can have that material and talk to a staff member about that at any time. You are absolutely right; trying to go through that material in the first instance in detail would be really counterproductive, so what is far more important is that they know that there are avenues of appeal and that they can explore those at any time.

Hon ALISON XAMON: Can I ask what percentage of children who have gone through the centre would have diagnosed or even suspected mental illness?

Mr Murphy: Look, I am very tempted to say 100 per cent. That is the nature of the children there. You will recall from the legislation, though, that essentially it is not a facility for admission of children whose primary concern is a mental illness; it is not a substitute mental health facility. But there is no question that all children who go there have a mental disturbance of a significant nature and a large percentage, well over half, have a serious diagnosis of psychopathology.

Hon ALISON XAMON: Okay, so they are already diagnosed.

I refer to page 27 and the Child Safety Directors' Group. Regarding the focus of the group on StrongFamilies, it is my understanding that there is an intention that the StrongFamilies role for this group will change. Will they become more involved in the program? Because I understand there is currently a monitoring group but that there is some suggestion that the Child Safety Directors' Group may take on a broader role.

Mr Murphy: The Child Safety Directors' Group is the most senior representative from each of the government departments with a mandate for child safety. They oversee all across-government matters to do with child protection and, more broadly, family support. It has been raised, both with the StrongFamilies monitoring group and the Child Safety Directors' Group, that it is worth considering whether, amongst the plethora of inter-government meetings involving the same agencies, often the same people, it might be more effective that the StrongFamilies coordination role shift to the more senior group. It is currently under consideration. I will repeat, just in case it was not told to you verbatim, what I said to the StrongFamilies monitoring group on this issue: that we do not have an agenda that it shall move, rather it really is worth the group's considering whether it would be more effective and more efficient to have the single more senior group responsible for that coordination.

Hon ALISON XAMON: I understand that part of the concern about that potential move is that the more senior group actually meets less frequently than the StrongFamilies monitoring group. I also understand that one of the other concerns is that they also, as you just articulated, have a much broader agenda than the StrongFamilies group, in which case there is a concern that some of the oversight or coordination might fall off the agenda. I am sure you and I would agree that StrongFamilies is an excellent program and that it is working really well and that any suggestion that that would somehow become lesser would be of great concern. So, I was just wondering if you could comment on the issue of the frequency of meetings and the issue of how we are going to make sure that StrongFamilies maintains the very specialised focus that it currently has.

Mr Murphy: I think they are good arguments for retaining the StrongFamilies monitoring group. Whether they outweigh the arguments against doing so—which is the more senior representation, the linkage with other matters of child protection, family support for families who are struggling—has not been resolved yet. But I accept that there are real issues and it is why we are working the potential for the responsibility to shift to the other group with both groups rather than saying that that is what should happen. I have to say, frankly, I indicated before, we do not have a set position on this—we simply do not. What we are after, though, is what is most effective for that program and how that program fits the rest of initiatives across the government and non-government sector

for families who are struggling and, secondarily, the effectiveness of multiple across-agency meetings. I could make a punt on what I think will happen and I think that will be no change.

Hon ALISON XAMON: No change, and when do you think a final decision will be made?

Mr Murphy: Before the end of the year, I would say.

Hon ALISON XAMON: Before the end of the year. Do you envisage there is a possibility that there still might be uncertainty beyond this year or are you really quite confident that it is going to be resolved?

Mr Murphy: No, we will make sure it is resolved before the end of this year. As I say, that is only my punt because we do not have a fixed position or an agenda. This is something we really look to come from the collective of agencies.

Hon ALISON XAMON: I will move—it is sort of related to this—to page 29, “Key 2011–12 statistics”, and the second dot point that says —

In excess of 22,000 clients who were homeless, or at risk of becoming homeless, were assisted with accommodation and other support services.

I also note that on page 7 it says in terms of clients that three per cent of contacts to the department were regarding housing issues. I want to raise this because I note that my office has been contacted directly by families and I have personally spoken to families who have advised that housing stress has been a factor in the decision to take children into care. I have been very concerned particularly to hear of people who are camping in my electorate in east metro because they cannot find housing, because even though they are on the emergency waitlists for Homeswest that they are still temporarily homeless, and that there is a suggestion that the children are actually being taken into care or threatened to be taken into care as a result of this. I am wanting to know what strategies have been done to actually address that situation. I know of one family, for example, who has been living in Bullsbrook in the bush for almost a year with family. I am aware that DCP is aware of this family. I want to know what strategies have been done to deal with this and also on how many occasions has the department assisted families to find and secure suitable accommodation. I recognise I may need to put that second question on notice. I am sure you would agree that being homeless is a terrible reason to take children away on its own.

Mr Murphy: Absolutely, it would compound a difficulty the family were already going through. We have made it very clear, I think, in various responses to the media, if not Parliament, that homelessness is not a cause of itself for the removal of children. Homelessness may be one factor, however, generally along with drug and alcohol use, domestic violence, mental health, and then it becomes somewhat difficult to disentangle what has caused what effect. That may be one factor that affects families whose children are taken into care, but it is not of itself a primary cause.

You mentioned the family in Bullsbrook who have been camping —

Hon ALISON XAMON: It is actually more than one family out there, I actually know that. My office has spoken to them, but I am thinking of one in particular.

Mr Murphy: And that family is set up pretty well —

Hon ALISON XAMON: Yes, they are.

Mr Murphy: — with their camping facilities and they are looking after their children pretty well, too.

Hon ALISON XAMON: They want a house, though.

Mr Murphy: Absolutely they want a house. The reality is there is a degree a homelessness in Western Australia, as there always has been.

Hon SUE ELLERY: Higher than ever before.

Mr Murphy: That is not confirmed by numbers, no; that is anecdotally the sense that people have. I would posit that that anecdotal experience is exacerbated by the continuous references to our affluence and the very fair statement that people do not want to see anybody homeless in our state. However, the census material that measures how many people are primarily homeless—that is, sleeping rough; or secondarily homeless, living with friends or family or couch surfing between those, has not indicated an increasing level. We will not have the data from that for the next month or two, so we await that with interest. But what we are not seeing is increased turn away rates from services; we are actually seeing services able to help more people as a result of the investment that has gone in from state and commonwealth funding over the last couple of years. So to get back to that Bullsbrook family, I think they are quite a good example of a family who notwithstanding facing a number of difficulties are coping with a terribly difficult situation and we are actually looking to assist them and not exacerbate their problems by treating the matter as a child protection issue.

The instances of service to assist people to find accommodation, I will take on notice. I would just point out that we contract a lot of services in the community sector to both source and support tenancies in both public and private housing, and that is the main source of housing—homelessness support over and above emergency accommodation and strategies and services to deal with domestic violence. The department will provide emergency assistance where there are children for a limited period while those other services can kick in.

[*Supplementary Information No B6.*]

Hon ALISON XAMON: What does that emergency assistance look like?

Mr Murphy: Essentially, it means putting them up at a motel or a —

Hon ALISON XAMON: With their family, though.

Mr Murphy: Yes, or a caravan park or a hostel arrangement, boarding house-type arrangement on a commercial basis for one to three days, sometimes longer, and I —

Hon ALISON XAMON: Yet we have still got families that are living long term in the bush roughing it, and I might add also in fire-prone areas, so that is a concern as well.

Mr Murphy: I can give you the figures of those families for whom we provide that emergency assistance and, yes, I return to the point: homelessness is not a new phenomenon.

Hon ALISON XAMON: Have you found, though, there is an increase in the rate of people who are coming to your attention as a result of housing pressures?

Mr Murphy: We have been able to assist more people for homelessness through the homelessness services.

Hon ALISON XAMON: You said you have been able to help more people, what I asked you is: is there increased demand?

[12.00 pm]

Mr Murphy: It is difficult to judge. It certainly is the case that our districts experience a significant number of requests for that emergency assistance prior to people being engaged with the community sector tenancy support service. We really cannot say on a statistical basis whether it is increasing.

Hon ALISON XAMON: There is another side of the housing issue that is being brought to my attention increasingly. That is, parents—usually sole parents who have been on sole parent benefits—who are losing their children, often because of mental health issues, for example; and, as a result losing their full benefit and going down, basically, to a benefit for a single person, the dole. Then they get themselves well and try to get their children back, but they are being told they cannot get their children back unless they get accommodation with at least two bedrooms, which they

cannot afford on a single parent's pension, and they are also told they need to demonstrate a tenure by holding down a place of two bedrooms or more for at least six months. As a result, these parents are getting themselves in a cycle in which, effectively, they are never able to get their children back again. I have had a handful of women—they have all been women—in this situation who have contacted me over the last couple of years about this. That is obviously an incredibly tragic situation. I wonder if you want to comment on that and whether there was any possibility that DCP would assist these parents to get back on their feet so they can get their children back again?

Mr Murphy: If I can answer the last question last: absolutely, that is our job: to assist families to provide a safe environment for their children. Our preference is always that children are safely housed and being brought up by their parents.

Hon ALISON XAMON: It has been relayed to me that there is no assistance coming from DCP for these families.

Mr Murphy: Is that what DCP has told you?

Hon ALISON XAMON: That is certainly what the families are telling me.

Mr Murphy: Often there are two sides to these stories.

Hon ALISON XAMON: There are always two sides.

Mr Murphy: That is right.

Hon ALISON XAMON: But I am also hearing very heavily from the parents here, and I am concerned to hear whether that is the case.

Mr Murphy: I would be as well. If you can bring any of these ones to our attention, we would be happy, through our minister, to provide the other side of the story. The way we work with families is not to be singly prescriptive about one issue such as a house, the type of house or the period of tenure. They may be correct in some instances, but they will not be the only factors operating.

Hon ALISON XAMON: Do you have a policy, though, that says that children cannot go back to the care of a parent if they are residing in a one-bedroom flat, for instance?

Mr Murphy: No.

Hon ALISON XAMON: So there is no requirement that there be a separate bedroom for the children in order to return to their parents?

Mr Murphy: No, there is not. There is simply not. What we are after is that parents are well, stable and protective of their children. There is never a single factor that determines whether that is or is not the case.

Hon PHILIP GARDINER: On page 29 in the paragraph on key statistics just about halfway down the page, you list those programs, which are all good programs. This relates a bit to your answer on homelessness that it is difficult to judge how much is out there. The omission I see, with the other agencies to help you, is the Department of Local Government or local government authorities, because they are closest to their own communities, in the main. It seems to me that it is too top heavy. I respect that you often have officers in those places, but it is still too top heavy. Have you considered a structure in which you embrace the particular local government authorities in the concerns that exist in their particular community, so they can feed into you so that these programs may be administered in a more comprehensive and self-reinforcing way?

Mr Murphy: The first point I would make is that a number of these programs—services for young people at risk, crisis accommodation and family and domestic violence services—are provided by local governments—previously in the metropolitan area and to a great extent in country areas. We are very open to local government providing these services. In recent years our experience though is that local government is moving out of the area of direct service provision rather than increasing it, particularly crisis accommodation and family and domestic violence. Where they are strong and

actually provide a very significant proportion of the contracted services in this area is in youth services. We are very eager to build those up with local government. The only other point I would make is that the variation between local governments is enormous. Everybody knows that there is an agenda across both local government itself and the government for consolidation of local government, to some extent. Once again, in our experience, to raise one that I think may have been discussed around this table but certainly with the Legislative Council before, is the situation in which Laverton has its own local government and is finding it incredibly difficult to sustain the youth service, notwithstanding a 50 per cent increase in funding that we have provided for that and us and police opening the youth service ourselves whenever we can—as opposed to Leonora, which is not far down the road, which is operating really effectively its youth service and some others. There are arguments for consolidating the capacity of local government in some areas. That would help, we think, for them to deliver the sort of services you are talking about.

Hon PHILIP GARDINER: I think that I understand what you are saying, and I largely agree. I was not, by the way, trying to say that local government should be doing direct delivery. They should understand what is required though in their community and then draw in the different programs that are mentioned here in this paragraph of your report, so that there can be a coordination and reinforcement. I know that they need money for that, but they are the ones that understand the community best, and the needs of the community, to be pushed up into the agencies so you can then deliver the appropriate service.

Mr Murphy: There are three parts to that I should mention. Local governments should be a part of regional coordination groups. The Department for Child Protection provides soft leadership to that interagency coordination process and has certainly driven the process to include non-government agencies in all of those interagency groups. Local government should also be there. The second is that we have been developing homelessness action plans in each region of the state, and local government has been a key part of those consultations and planning. They are probably the main ones really. There are other areas like our family support network in Armadale, which is a trial program where local government is involved too.

Hon SUE ELLERY: I turn to page 12, which is the living arrangements for children in care. It sets out the numbers of children who were placed with relative foster care or general foster care, either in a funded service or in a departmental residential facility. There is also a category of living arrangement that is described as “unendorsed arrangement”. Can you give me the definition of what that means?

Mr Murphy: Essentially it is that the young person is living somewhere that we do not regard as suitable placement, and most often it is back with their family.

Hon SUE ELLERY: The number of those children has increased. Last year it was 131 and this year it is 174. Do you have any comment about why that has happened?

Mr Murphy: Certainly there has been a seven per cent increase in the number of children in care, which would account for 10 of those, perhaps.

Hon SUE ELLERY: The percentage has gone up as well.

Mr Murphy: That is right; it accounts for only about a third of the increase or a quarter even, by my calculations. I would need to dig into the specific cases to understand that better. Once again, it is not a trend that we regard as of particular concern but there are always a number of children, as I say, returning to family or extended family when we do not regard that as optimal. We are active in all those cases trying certainly to monitor the situation and support the safety of that situation, but perhaps to address it where we can as well.

Hon SUE ELLERY: Part of that I think goes on notice.

Mr Murphy: So you want the definition or the categories of unendorsed?

Hon SUE ELLERY: Yes, and you said you were going to make some general comment about the reasons for that, but you would need to check as well.

Mr Murphy: That is actually a research effort, not a response to a parliamentary question, if I may.

Hon SUE ELLERY: I thought you were saying that there was something you wanted to check or add. If that is not the case, that is fine, but I thought that was what you said.

Mr Murphy: No; that would be a research effort to really try to understand the individual cases.

The CHAIR: So it is my understanding there is no supplementary there?

Mr Murphy: I could provide the various examples of those unendorsed situations.

Hon SUE ELLERY: That is would be good.

[*Supplementary Information No B7.*]

Hon SUE ELLERY: I refer to pages 23 and as well flick over to the page on child protection notification. This is where you record the significant increase in the number of notifications of children who may be at risk or who may have been harmed. That is up by 17 per cent. On the top part of page 23, one of the things you attribute that to is the mandatory reporting of child sexual abuse. But if you go to page 26, which sets out mandatory reporting of suspected child sexual abuse, in figure 5 it says that 2 013 reports were received by the mandatory reporting service, and of those reports, which you describe in the box immediately below that as being mandatory reports, 1 728 of those meet the legislative criteria, so have actually come from people mandated to report. On my calculation, that is an eight per cent decrease in the number of reports received by the service and the number of mandated reports as well. So, last year the figures were: reports received by mandatory reporting service, 2 285; and the number of those that were mandated reports was 1 997. I make that, as a rough calculation, about an eight per cent decrease. How then is that one of the main drivers for the 17 per cent increase in the number of notifications?

Mr Murphy: We think that mandatory reporting has driven a general increase in awareness of child abuse, notwithstanding that it is only for sexual abuse. But because we train and meet with all those mandatory reporters—police, teachers and health professionals—we think that has driven an increase in general reporting. The training and the communication between agencies covers all sorts of abuse, not just sexual abuse. We think there is a significant increase in the amount of awareness and responsiveness to the abuse of children across the board, of which mandatory reporting is a major driver. The other large driver, we think—and it is related again because it involves police—is the number of joint operations we undertake with police and the procedures we have in place for reports being investigated by our joint unit.

[12.15 pm]

Hon SUE ELLERY: If I can turn to another matter quickly—page 29 and a bit on page 30—this is the service area where you are providing assistance to families at risk or people in crisis. The key stats for 2011–12 on the bottom of page 29 state —

Over 6,500 instances of emergency assistance were directly provided to over 4,600 people, to help meet the costs of food, accommodation, transport and other critical requirements.

That is down on the previous year. Last year's annual report told us that there were 7 754 instances of assistance provided to 5 244 people. I tried to see what else might be driving this. It is not HUGS, because HUGS is covered elsewhere in the report. It is not the natural disaster-type emergency services, because that is counted elsewhere—in fact, immediately below in that table. It is because funded services are picking that up, because while they do have emergency relief funds and their emergency relief numbers are slightly up, it is not by the same amount. In fact, their emergency relief only covers some of the things that the department's assistance covers. Given that cost-of-living pressures are identified as a really big issue—it is the biggest thing coming through

our electorate offices; all the non-government agencies say the demand on their services is up as well—how is it that the department actually provided less assistance to less people?

Mr Murphy: Once again it is not something that can be answered with 100 per cent certainty because we are speculating about the impact of social and economic factors on individuals. I would cite, though, that there are more services for homelessness and there are more services for domestic violence, some of which, when people have not been receiving those services—they may have been seeking some emergency financial assistance—is slightly speculative. On the broader social and economic front, we have got a pretty low rate of unemployment, but that has been decreasing year on year over recent years. Notwithstanding those people who are still at the margins, some people are getting into the mainstream. I would also just point out that the community sector's capacity in this area vastly outweighs the department's, notwithstanding some differentiation of categories. They provide more funds through more outlets through commonwealth funding than we do with this fund.

Hon SUE ELLERY: I would not disagree that their capacity has increased, but if you look at the kind of services they offer, they are slightly different to what is being offered here, so I do not think it is directly attributable to that. Has there been any change in the criteria by which the department offers emergency assistance?

Mr Murphy: Not last year, no.

Hon SUE ELLERY: Was there any change previously?

Mr Murphy: No.

Hon SUE ELLERY: So there is no shift in priority within those criteria.

Mr Murphy: No, there is not. Every district will manage the demand that comes to it, but no, there has been no policy shift in this area.

Hon SUE ELLERY: The reason I ask is I had to contact Crisis Care last week. A mother of a 15-year-old son living in a car rang the office at 4.55 pm, as is often the case, so I had to answer the phone, which sometimes freaks people out but it did not freak this person out. Nevertheless, it is very serious issue—a very distraught mother. I had to then make contact with Crisis Care and eventually got a very professional response—a very polite staff member. I have no complaints with how he conducted his conversation with me at all. But the information that he gave me was that she did not meet the criteria for emergency hotel accommodation or a caravan or anything like that, overnight or for a short period of time. Number one, it was because it was not unforeseen that she would have to sleep in the car that night because she had been sleeping in the car for the previous three weeks, which I found a fairly astonishing answer. Secondly, she was not leaving domestic violence, which was the case, and that was the priority—if she had been trying to get herself and her child out of an unsafe situation. That first notion—that she should be discounted from receiving any assistance because it was not unforeseeable that she would be homeless that night because she had been homeless for the previous 20 nights—seemed a bit insensitive to me. I wondered if the criteria had shifted. It is nonsensical criteria.

Mr Murphy: It is pretty tough, that sort of assistance, because, as we discussed more extensively earlier, there are homeless people. They are living in the bush; they are couch surfing; there are people who are living rough. From the last available census, I think it was 2 600 people sleep rough in Perth each night. That is a big number. We have to be a bit tough about those to whom we provide emergency accommodation—a motel, a caravan park—for a night or three, because on some commonsensical criteria, every one of those would be eligible. It is tough to source that emergency assistance and we have to prioritise it to those most in need. Those are those where there are children at risk, people find themselves in a situation that they just cannot manage immediately and of course escaping domestic violence. From recollection, there are about 700 instances of those

cases out of Crisis Care each year. So, once again, if you compare those 700 opportunities to the number of people who are sleeping rough or couch surfing —

Hon SUE ELLERY: That is 700 requesting or 700 being assisted?

Mr Murphy: Being assisted; that is a rough number, again.

We do have some follow up information for Mr Travers.

The CHAIR: That is right. I was just going to see how you went with that one.

Mr Murphy: We have a financial whiz with us. The cost of services, less employee costs, is \$292 million. What we spent on case support costs last year—this figure shifts, because it is calculated on an amount per child by the number of children in care—was just under \$18 million. So you can see that our capacity to find \$1.2 million for cost of services savings, as opposed to the FTE savings, out of \$292 million is not insubstantial.

Hon ALISON XAMON: But it also means you are not looking at an increase on that \$18 million, are you? Not even CPI? Or do you envisage that it still might do that?

Mr Murphy: That gets CPI-ed each year.

The CHAIR: I am mindful of the time. If members have further questions, please submit them to the committee clerk. We will forward any additional questions we have to you via the minister in the next a couple of days in writing, together with the transcript of evidence, which will include questions taken on notice. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet the due date, please advise the committee in writing as soon as possible before the due date, with the advice to include specific reasons as to why a due date cannot be met. Unasked questions by members should be submitted to the committee clerk. Finally, on behalf of the committee, thank you very much for your attendance. We will close the hearing.

Hearing concluded at 12.24 pm
