



Community Development and Justice Standing Committee

Annual Report 2015-16

Report No. 14
September 2016

Legislative Assembly
Parliament of Western Australia

Committee Members

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Presented by

Ms M.M. Quirk, MLA

Laid on the Table of the Legislative Assembly on 15 September 2016

Chair's Foreword

ONCE again, the Community Development and Justice Standing Committee has had a very productive year, tabling two inquiry reports and one agency review report and completing the evidence-gathering phase of its final inquiry for the 39th Parliament.

The Committee began the financial year with hearings for the second focus area of its inquiry into how WA Police evaluates its performance. The focus was on domestic violence, and the measures WA Police has in place to evaluate whether it is providing adequate protection to victims.

The report made eight recommendations pertaining to training of officers, GPS tracking of serious domestic violence offenders, the implementation of intermediate performance indicators, collection of demographic data related to domestic violence offences, and a domestic violence strategy specific to police.

Responding to the report, WA Police indicated some willingness to implement additional performance measures, but did not agree that it needed to update its lapsed family and domestic violence strategy. It believed the Department for Child Protection and Family Support strategy, *Freedom from Fear* (released in September 2015), was sufficient. But none of the actions in that strategy identify specific actions or responsibilities for police.

The Committee wrapped up its three-part inquiry into WA Police performance evaluation with an assessment of measures to evaluate management of police personnel. This covered recruitment, training, internal investigations, and the treatment of officers considered medically unfit to continue.

While there was a suggestion that some of the practices would be reviewed in line with the report's 13 recommendations, the response to the report did not provide great encouragement that the culture of the police service would change.

For example, WA Police did not support the use of Section 51 of the Equal Opportunity Act (1984) to ensure diversity within the service, and was not prepared to find a way to provide feedback to ex-officers who apply to return to the service but are unsuccessful.

The response to findings and recommendations made in regard to officers suffering from post-traumatic stress disorder is particularly disappointing.

WA Police said it was considering a proposal to recognise the service of officers dismissed on medical grounds (as per the Committee's recommendation), but stipulated that the serious injury would have to be in relation to an operational incident or attack on an employee. This would preclude sufferers of PTSD whose illness is most often induced by the accumulation of stress, rather than a single incident.

This seems to be indicative of the attitude of WA Police to PTSD in general, with officers still struggling to have their symptoms recognised, and reluctant to seek help due to the risk of stigmatisation and the potential negative impact on their careers.

While still completing the police inquiry, the Committee followed up on an agency review with the Department for Child Protection and Family Support regarding the management of a teenager in the Department's care who had been convicted of the manslaughter of his newborn baby while in hospital.

Given some of the comments in the judge's sentencing report (which the Children's Court made available to the Committee) and some concerns from the union representing child protection workers, the Committee believed the management of the case warranted further investigation.

The report made seven findings and two recommendations. The Department for Child Protection and Family Support says it is reviewing whether it needs to strengthen its practice guidance to assist staff in assessing parental capacity to protect children from harm, and that it has recently strengthened guidelines for assessing protection of children in hospital.

This is welcome, however it is tragic that a baby had to die in these circumstances before the safety and supervision practices were reviewed.

In the final month of the financial year four members were fortunate enough to travel to Melbourne and New Zealand to see for themselves what can be achieved for at-risk youth through sports and cultural programs.

The Committee was impressed by the passion of those recreation and arts workers who were able to see the potential of young people who might otherwise be sidelined and perhaps find themselves on the wrong side of the law.

There were many examples of inspiring young men and women who had grabbed the opportunities offered to them with both hands. This gave us great hope for achieving similar outcomes in our State, pending appropriate support.

Finally, I would like to thank my fellow Committee Members for their ongoing support, and acknowledge the work of the Committee's staff, Dr Sarah Palmer and Ms Franchesca Walker.



MS M.M. QUIRK, MLA
CHAIR

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Chapter 1

Committee's activities

Activities of the Community Development and Justice Standing Committee from 1 July 2015 to 30 June 2016.

Introduction

The Community Development and Justice Standing Committee has responsibility for 19 portfolio areas, as outlined below:

- Aboriginal Affairs
- Attorney General
- Child Protection
- Citizenship and Multicultural Interests
- Community Services
- Corrective Services
- Culture and the Arts
- Disability Services
- Electoral Affairs
- Emergency Services
- Environment
- Local Government
- Police
- Road Safety
- Seniors and Volunteering
- Sport and Recreation
- Veterans
- Women's Interests
- Youth

In the past financial year, the Committee's inquiries have focussed on the portfolio areas of Police, Child Protection, Youth, Culture and the Arts and Sport and Recreation.

Activities

During the course of this reporting period – 1 July 2015 to 30 June 2016 – the Committee:

- completed the Inquiry into Methods of Evaluating WA Police Performance;
- continued an agency review with the Department for Child Protection and Family Support (one hearing had been conducted in the previous financial year);

- commenced the Inquiry into Building Resilience and Engagement for At-Risk Youth through Sport and Culture;
- met on 29 occasions for the purposes of deliberative meetings, hearings or briefings;
- undertook investigative travel to Geraldton, Melbourne and New Zealand; and
- tabled four reports (including the annual report).

Table 1.1 – Summary of the activities of the Community Development and Justice Standing Committee, 1 July 2015 – 30 June 2016

Activity	Number
Deliberative meetings	19
Hearings	26
Briefings	27

Public hearings

Pursuant to Standing Order 264, the Committee has power to send for persons, papers and records. During the period 1 July 2015 to 30 June 2016, the Committee conducted 26 hearings and took evidence from 53 witnesses, as detailed in Table 1.2.

Table 1.2 –Witnesses who provided evidence at hearings of the Community Development and Justice Standing Committee, 1 July 2015 – 30 June 2016

Date	Name	Position	Organisation
12 August 2015	Ms Emma White	Director General	Department for Child Protection and Family Support
	Ms Kay Benham	Executive Director, Policy and Learning	
	Mr Joseph McGrath, SC	Director of Public Prosecutions	Office of the Director of Public Prosecutions
	Ms Amanda Burrows	Senior State Prosecutor	
	Mrs Nari Vanderzanden	Instructing Officer, Legal Projects	
19 August 2015	Ms Yolanda Strauss	Manager, Domestic Violence Services	Women’s Health and Family Services
	Ms Angela Hartwig	Chief Executive Officer	Women’s Council for Domestic and Family Violence Services
	Ms Kedy Kristal	Chief Executive Officer	Patricia Giles Centre

	Ms Anne Moore	Chief Executive Officer; Chair	The Lucy Saw Centre; Women's Council for Domestic and Family Violence Services
9 September 2015	Mr Gary Dreiberger	Acting Commissioner	WA Police
	Mrs Michelle Fyfe	Acting Deputy Commissioner, Specialist Services	
	Ms Susan Young	Detective Inspector, Sex Crime Division	
	Mr Bradley Sorrell	Acting Commander, Metropolitan Regional Office	
	Mr Mark Stringer	Strategic Planning and Performance Analyst	
16 September 2015	Ms Mary Cowley	Chief Executive Officer	Aboriginal Family Law Services
	Ms Andrea Smith	Principal Policy Officer	
	Ms Julie Jackson	Director, Family Division	Legal Aid Western Australia
	Ms Jennifer Hoffman	Commissioner for Victims of Crime	Office of the Commissioner for Victims of Crime
	Ms Sally Roworth	Senior Policy Officer	
18 November 2015	Mr Doug Brewer	Clinical Coordinator, Trauma Recovery, Growth Programs	The Hollywood Clinic
	Dr Mathew Samuel	Clinical Lead, Post-traumatic Stress Disorder Program	
	Mr David Bentley	President	Medically Retired Western Australian Police Officers Association Inc.
	Mr Michael Thornbury	Former WA Police officer (medically retired)	
23 November 2015	Mrs Christina Ward	Deputy Director	Edmund Rice Centre Mirrabooka
	Mr Allan Macdonald	Acting Commissioner for Equal Opportunity	Equal Opportunity Commission
	Ms Rikki Hendon	Branch Assistant Secretary	Community and Public Sector Union/Civil Service Association
	Ms Linda Goncalves	Community and Campaigns Organiser	

25 November 2015	Ms Emma White	Director General	Department for Child Protection and Family Support
	Ms Kay Benham	Executive Director, Policy and Learning	
	Ms Cheryl Barnett	Executive Director, Metropolitan Services	
	Mr Michael Thorne	Manager	Indigenous Community Links Service, PEEDAC Pty Ltd
15 February 2016	Dr Karl O'Callaghan	Commissioner of Police	WA Police
	Mr Anthony Kannis	Executive Director	
	Mr Craig Ward	Assistant Commissioner, Workforce	
	Mr Nicholas Antichich	Assistant Commissioner, Professional Standards	
	Ms Renae Lavell	Human Resources Director	
17 February 2016	Mr George Tilbury	President	WA Police Union of Workers
	Mr Brandon Shortland	Senior Vice-President	
	Mrs Jane Baker	Research Officer	
11 May 2016	Dr Peter Wright	Associate Professor of Arts, Education and Research Methods	Murdoch University
	Mr Ron Alexander	Director General	Department of Sport and Recreation
	Mr Graham Brimage	Director of Strategic Policy and Regional Services	
15 June 2016	Mrs Christina Ward	Deputy Director	Edmund Rice Centre Mirrabooka
	Mr Joe Moniodis	Youth Pathways Coordinator	
	Mrs Brittany Lance	Acting Coordinator, Cultural Services	Communicare
	Ms Lauren Reid-Dornbusch	Get Active Project Officer	
22 June 2016	Mr John Gillespie	Chief Executive Officer	Federation of Western Australian Police and Community Youth Centres (PCYC)
	Mr Gordon Musulin	Field Support Manager	
	Mr Duane Bell	Assistant Commissioner	

	Mr Colin Walker	Director, Policy, Planning and Research	Department of Culture and the Arts
29 June 2016	Mr Ross Wortham	Chief Executive Officer	Youth Affairs Council of Western Australia
	Mr Shaun Wyn-Jones	Policy Officer	Aboriginal Health Council of Western Australia
	Ms June Moorhouse	Co-General Manager	Community Arts Network (CAN)
	Ms Monica Kane	Co-General Manager	
	Miss Natasha Laden	Senior Contract Officer	Wirrpanda Foundation
	Mr Troy Cook	Health and Leadership Manager	

Briefings

Briefings were held with representatives of domestic violence services in Geraldton and with Geraldton Police; the Police Ranger Unit and students and staff at Balga Senior High School; and staff from the Clontarf Foundation and students and staff of the Clontarf Academy in Waterford.

During its investigative travel to Melbourne and New Zealand, the Committee conducted 19 briefings with providers of sport and cultural programs for at-risk youth and experts in the socio-cultural impacts of sport and the arts.

Table 1.3 –Witnesses who briefed the Community Development and Justice Standing Committee, 1 July 2015 – 30 June 2016

Date	Name	Position	Organisation
7 September 2015 Geraldton	Ms Alison Adam	Chief Executive Officer	Chrysalis Support Services Inc.
	Ms Deanne McCagh	Outreach Worker	
	Ms Kylie Coupar	Advocate	
	Mr Michael Gill	A/Snr Sgt, WA Police Union Director – Central Region and OIC, Mid West-Gascoyne District Support Unit	WA Police Union, Geraldton
	Mr Stuart Gerreyn	OIC, Geraldton	WA Police
	Ms Kylie Whiteley	District Superintendent	

	Mr Murray Smalpage	A/Commissioner, Regional Command	
	Mr Laurie Panaia	A/Cdr, Regional Command	
	Mr Jeremy Ashworth- Preece	Sgt, Geraldton Family and Domestic Violence Response Team (FDVRT)	
	Mr Craig Collins	Inspector	
	Ms Belinda Wainwright	Department for Child Protection and Family Support	Geraldton FDVRT (non-police members)
	Ms Lynley Graham		
	Mr Paul Royce	Mission Australia - Coordinated Response Services	
	Ms Tracie McGiffin- Singh	Mission Australia - Coordinated Response Services	
	Ms Leeanne Robertson	Corporate Manager	Geraldton Resource Centre
	Ms Esther Coetsee	Legal staff member	
	Ms Kate Turtley- Chappel	Lawyer	Legal Aid WA
	Ms Merrilyn Green	Operations Manager	Geraldton Streetwork Aboriginal Corporation (Streeties)
	Ms Charmaine Yeates	Manager	Geraldton Yamatji Patrol Aboriginal Corporation
	Mr Ashley Taylor		
	Mr Sandy Davies	Chairperson	Geraldton Regional Aboriginal Medical Service (GRAMS)
24 February 2016 Perth	Mr Abdullahi Farah	Police Ranger	Balga Senior High School, Balga
	Miss Dayle Gregory	Police Ranger	
	Mr Doh Nay Taw Mya Tun	Police Ranger	
	Miss Easter Bell	Police Ranger	
	Miss Stellar	Police Ranger	
	Miss Vanshini Ghumundee	Police Ranger	
	Miss Salado Mohamed	Police Ranger	
	Mr Bejhan Alitovski	Police Rangers Unit Leader	
	Mr Geoffrey Harris	Principal	

18 May 2016 Perth	Mr Gerard Neesham	Chief Executive Officer	Clontarf Foundation
	Mr Shane Kiely	General Manager, Partnerships and Communication	
	Mr Craig Brierty	Chief Operations Officer	
	Ms Stephanie Syme	Chief Financial Officer	
	Clontarf Academy students		
	Clontarf Academy staff		
31 May 2016 Melbourne	Ms Julie Edwards	Chief Executive Officer	Jesuit Social Services
	Ms Marianna Codognotto	Arts and Culture Coordinator	Artful Dodgers Studios
	Amber Rose	Former participant	
	Aiden	Participant	
	Ms Charlotte Hilder	Creative Producer, Youth Outreach	Arts Centre Melbourne, Dig Deep
	Ms Mary Quinsacara	Mentor	Dig Deep
	Participants		
	Mr Gerard Veltre	Artistic Director	Phunktional
1 June 2016 Melbourne	Dr Ramón Spaaij	Research Program Leader (Sport in Society)	Institute of Sport, Exercise and Active Living, Victoria University
	Dr Dave Kelman	Artistic Director	Western Edge
	Ms Sally Farr	General Manager	Youth Arts
	Mr Cameron McLeod	General Manager, Community Engagement	The Huddle
	Mr Xavier Moloney	Diversity Manager	Australian Football League (AFL) Victoria
	Mr Majok Ngong	Multicultural Development Officer Trainee	
	Mr Marlyn Staunton	Member	Neville Jetta Squad, the All Nations Squad, and the World Team
	Mr Tot Jok	Member	
	Mr Peter Dye	Operations and Development Assistant	Dandenong Stingrays Football Club
	Mr David Rodan	Multicultural Engagement Coordinator	AFL Victoria
	Ms Penny Collins	President	St Mary's Netball Club
	Ms Paula Smith	President	Dandenong and District Netball Association
	Mrs Christine Ware	Administration Officer	

	Ms Tayla Pallas	One Netball Coordinator	Netball Victoria
2 June 2016 Auckland, New Zealand	Mr Wiremu Mato	Kaihautu – Manager	He Oranga Poutama ki Tāmaki Makaurau
	Ms Anita Coy-Macken	Provision Team Leader, Parks, Sport and Recreation	Auckland Council
	Mr Peter Caccioppoli	Senior Activation Advisor	Te Matariki Clendon Community Centre
3 June 2016 Auckland, New Zealand	A/Snr Sgt Keith Olsen	District Coordinator, Youth Services	Counties Manukau District Police
	Sgt Rob Woodley	General Manager	Genesis Youth Trust
	Mr Peter Caccioppoli	Senior Activation Advisor	Te Matariki Clendon Community Centre
	Ms Dawn Upu	Centre Manager	
	Mr Teina Rima	Youth Coordinator	
	Ms Sarah Longbottom	Founder and Executive Director	Ngā Rangatahi Toa
	Mr Todd Williams	Youth Mentor	
	Yvonne	Participant	
	Mr Clarence Lomiwes	Producer	MPHS Studio – High Tech Youth Network
	Gabriel	Participant leader	
	Charles	Participant leader	
Participants			
4 June 2016 Auckland, New Zealand	Ms Wendy Preston	Creative Producer and Director	Mixit
	Ms Rina Patel	Project Manager	
	Participants		
5 June 2016 Tokoroa, New Zealand	Mr Tony Lajpold	CoachForce Development Officer	Upper Central Zone Rugby League
	Mr Brent Jones	Development Officer, Coastlines and Bay of Plenty	
	Ms Mel Bennett	Operations Manager	
	Ms Vanessa Eparaima	Chairperson	Raukawa Settlement Trust and Raukawa Charitable Trust
	Ms Kataraina Hodge	Deputy Chair	Raukawa Charitable Trust
	Mr Nigel Te Hiko	Kākano Whakatupu Group Manager	
	Mr Mana Winikerei	Waka Taua Wellness Program Coordinator	

Hamilton, New Zealand	Mr Haami Winikerei	Waka Taua Wellness Program Coordinator	
	Mr Poutapu Winikerei	Former Waka Taua participant	
	Ms Karina Elkington		Waikato District Health Board
	Sgt Brian Nicholas	Iwi Liaison Officer	New Zealand Police
	Ms A.S. "Aliya" Danzeisen	Lead Coordinator	Women's Organisation of the Waikato Muslim Association
	Ms Radiya Ali	Youth Coordinator	
	Salma	Youth Coordinator	
	Afreen	Youth Leader	
	Mehria	Youth Leader	
	Sarah	Youth Leader	
	Ansai	Participant	
	Fatuma	Participant	

Investigative travel

The Committee undertook a day-trip to Geraldton in September 2015 to collect evidence for the second focus area of the Inquiry into Methods of Evaluating WA Police Performance (*how WA Police evaluates whether it is providing adequate protection to the victims of family and domestic violence*).

The Committee was briefed by support services on the adequacy of WA Police responses to domestic violence, particularly in relation to Aboriginal communities, and by a WA Police Union representative on officers' working conditions. At the Geraldton Police Station, WA Police and members of the Family and Domestic Violence Response Team briefed the Committee on the processes and practices used to respond to domestic violence.

In late May and early June, four members of the Committee also undertook a seven-day investigative trip to collect evidence for the Inquiry into Building Resilience and Engagement for At-Risk Youth through Sport and Culture.

The Committee saw value in gathering evidence from at least one other Australian jurisdiction and one international location. Given its status as the cultural and sports capital of Australia, Melbourne was deemed the most appropriate Australian city to visit. It is also culturally diverse, with around 35 per cent of its population born overseas.

New Zealand was considered an appropriate international focus since it faces some of the same challenges as Western Australia with regard to the social inclusion of migrant

and refugee youth and engagement of at-risk Indigenous youth. It has strong models of culturally-based and culturally-owned programs that are government-funded, which the Committee was keen to learn about.

In Melbourne, the Committee members were briefed by a range of providers of sport and cultural programs for at-risk youth. Briefings focused on what works, gaps in service delivery, and service provision for culturally and linguistically diverse communities. Some young people shared their personal experiences and stressed the importance of trust and strong relationships to stimulate meaningful change in the lives of at-risk youth.

University academic Dr Ramón Spaaij, who has expert knowledge in the use of sport to increase social cohesion in diverse communities, also briefed the Committee to discuss his research findings in this area. The Chair was briefed by the director of dance and theatre group Phunktional about its use of the arts to work with at-risk youth, particularly in regional Australia.

In Auckland, the Committee met with sports and arts program providers to learn about the models in place and their possible application to Western Australia. New Zealand Police also briefed the Committee on the New Zealand youth justice system and the Genesis Youth Trust, which is used to engage youth offenders. Two members met with Mixit, a project that uses dance, music and drama to work with young people from predominantly refugee backgrounds.

The members travelled to Tokoroa and Hamilton, approximately two hours south of Auckland. In Tokoroa, they met with the Upper Central Zone Rugby League team. Members also spent a few hours with Ngāti Raukawa, a tribe implementing the Māori-based and Māori-owned Waka Taua Wellness Program.

In Hamilton, leaders, coordinators and participants of the Women's Organisation of the Waikato Muslim Association gave a presentation on the way their program used physical activities and culture to create a greater social connectedness amongst participants.

Other activities

- On 13 October 2015, the Committee tabled its Minutes for the period 15 May 2013 to 24 June 2015.

Reports tabled

Report 9: Annual Report 2014-15 was tabled on 24 September 2015.

Report 10: On 22 October 2015, the Committee tabled its second report for the overarching Inquiry into the Methods Employed by WA Police to Evaluate Performance, *A measure of trust: How WA Police evaluates the effectiveness of its response to family and domestic violence.*

Report 11: On 17 March 2016, the Committee tabled a brief agency review report, *Red flags, white flag response? The Department for Child Protection and Family Support's management of a troubled boy with a baby.*

Report 12: On 24 March 2016, the Committee tabled the third and final report in its Inquiry into the Methods Employed by WA Police to Evaluate Performance, *How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel.*

The Committee has received the government response to Report 10, Report 11 and Report 12.

Work in progress

The Committee resolved on 6 April 2016 to undertake an Inquiry into Building Resilience and Engagement for At-Risk Youth through Sport and Culture. All hearings and briefings relating to the Inquiry were completed in the year ending 30 June 2016. The Inquiry report was due to be tabled in the Legislative Assembly on 15 August 2016.

Chapter 2

Financial statement

Expenditure of the Community Development and Justice Standing Committee during the financial year.

Committee expenditure

The Community Development and Justice Standing Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditure is sought from the Speaker on a case-by-case basis.

The Committee is required in accordance with Standing Order 276 to detail expenditure for the financial year 1 July 2015 – 30 June 2016.

Table 2.1 – Expenditure items of the Community Development and Justice Standing Committee, 1 July 2015 – 30 June 2016

Expenditure item	Total (\$)
Staff & Member amenities	\$789
Printing	\$2459
Couriers	\$288
Travel	\$45,606
Advertising	\$5965
Miscellaneous	\$13
TOTAL	\$55,120

Notes:

- Figures rounded to nearest dollar.
- Excluded:
 - Salaries of Committee staff;
 - Costs of shared administrative expenses, including lease costs for Committee accommodation.



Ms M.M. Quirk, MLA
CHAIR

Appendix One

Committee's functions and powers

The functions of the Committee are to review and report to the Assembly on: -

- a) the outcomes and administration of the departments within the Committee's portfolio responsibilities;
- b) annual reports of government departments laid on the Table of the House;
- c) the adequacy of legislation and regulations within its jurisdiction; and
- d) any matters referred to it by the Assembly including a bill, motion, petition, vote or expenditure, other financial matter, report or paper.

At the commencement of each Parliament and as often thereafter as the Speaker considers necessary, the Speaker will determine and table a schedule showing the portfolio responsibilities for each committee. Annual reports of government departments and authorities tabled in the Assembly will stand referred to the relevant committee for any inquiry the committee may make.

Whenever a committee receives or determines for itself fresh or amended terms of reference, the committee will forward them to each standing and select committee of the Assembly and Joint Committee of the Assembly and Council. The Speaker will announce them to the Assembly at the next opportunity and arrange for them to be placed on the notice boards of the Assembly.

