

2011

(No. 5)



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PARLIAMENT OF TASMANIA

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**SELECT COMMITTEE ON  
CHILD PROTECTION**

**Progress Report**

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*Brought up by Mr O'Halloran and ordered by the  
House of Assembly to be printed.*

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MEMBERS OF THE COMMITTEE

Mr *O'Halloran* (Chairperson)

Mr *Groom*

Mrs *Petrusma*

Ms *White*

Mr *Wightman*

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# 1 APPOINTMENT & TERMS OF REFERENCE

- 1.1 The Honourable Member for Braddon, Basil O'Halloran, the eventual Chair of this Committee, on 12 October last gave notice of a motion in the House of Assembly (the House) that he intended to move for the establishment of a Select Committee of the Assembly to inquire into and report upon child protection issues.
- 1.2 Such motion was moved, debated and resolved with an amendment on Thursday, 14 October last. The resolution was as follows:-

*Resolved, That: -*

- (1) *A Select Committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the House exceeding fourteen days, with leave to report from time to time and with leave to adjourn from place to place, to inquire into and report upon the adequacy of Tasmania's child protection systems, including:—*
  - (a) *early identification, intervention and prevention strategies currently in place within all relevant agencies including the Department of Health and Human Services (including Family Support and Child Protection Services), the Office of the Commissioner for Children, Department of Education, Department of Justice, Tasmania Police, and the non-government sector including Gateway service providers, and including comparison with child protection regimes in other Australian jurisdictions;*
  - (b) *mechanisms currently in place, and where improvements can be made to enhance the integration between all relevant agencies to ensure that the welfare of any identified child at risk is paramount and that all agencies work together to provide best practice care and service delivery;*
  - (c) *review the Children, Young Persons and Their Families Act 1997, including all proposed amendments to the Act as mentioned in the Tasmanian Government's response to recommendations in the Commissioner for Children's report on his inquiry into the circumstances of a 12 year old child under guardianship of the Secretary, October 2010;*

- (d) *other long term contributors to child abuse and neglect, such as poverty, drug and alcohol misuse and mental health issues;*
- (e) *the appropriateness, and need for, any further inquiry including but not limited to a Commission of Inquiry as established under the Commissions of Inquiry Act 1995; and*
- (f) *other matters incidental thereto.*

(2) *The Committee shall consist of five Members, being: two from the Government nominated by the Leader of the House; two from the Opposition nominated by the Leader of Opposition Business in the House; and one from the Tasmanian Greens nominated by the Leader of the Greens.*

(3) *The Committee report by 31 January 2011.*

1.3 The House further resolved on Tuesday, 16 November last, to extend the reporting date until the first sitting day of 2011, Tuesday, 8 March next.

## **2 CONDUCT OF THE INQUIRY**

- 2.1 The Committee resolved at its first meeting, to invite by way of advertisement on the Parliament of Tasmania Internet page and in the three daily regional newspapers, interested persons and organisations to make a submission to the Committee in relation to the Terms of Reference. In addition to such general invitation, the Committee directly invited a number of persons and organisations to provide the Committee with any information they deemed to be relevant to the inquiry.
- 2.2 The Committee has to date received 48 submissions and in addition, many documents have been provided as exhibits.
- 2.3 The Committee has carefully considered the receipt of all submissions. Such deliberations were conducted within the context of both: the determination of the Committee that the inquiry process be conducted openly; and the strong desire to protect, where possible, the identities of individuals, particularly minors, mentioned in proceedings.
- 2.4 All submissions were received and taken into evidence, thus informing the Committee's deliberations.
- 2.5 The submissions received, taken into evidence and ordered by the Committee to be published and reported are listed in Appendix 'A'. Such documents have been published by

order of the Committee pursuant to Standing Order 363 and are tabled herewith.

- 2.6 The Committee has, to date, met on 13 occasions, such meetings having been conducted in: Hobart; Launceston; and Burnie.
- 2.7 The 'default' position for the Committee hearing evidence is to examine witnesses in public. The Committee has however, resolved on occasion, to hear witnesses *in camera*. The Committee has resolved not to publish or report the transcripts of evidence heard *in camera*. However, this evidence will be considered by the Committee in establishing its findings and recommendations.
- 2.8 The Minutes of the meetings of the Committee held to 17 February last appear in Appendix 'B'.

### **3 PROGRESS REPORT**

- 3.1 It is the very strong desire of the Committee to produce a final report to the House which fully addresses the terms of reference and will be constructive for those working within the subject area.
- 3.2 By virtue of the reporting date, the nature of the inquiry has been intensive. The Committee has received a considerable volume of evidence and other documents as exhibits, totaling in excess of 2000 pages and has heard 115 witnesses over eleven days of hearings.
- 3.3 At the meeting of the Committee on 17 February last, the Committee came to the unanimous view that the volume and complexity of the subject matter of the inquiry is such that the requirement to provide a final report by Tuesday, 8 March next cannot be achieved.
- 3.4 The Committee unanimously resolved that progress should be reported and an extension of the reporting deadline be sought.
- 3.5 To that end, the Committee reports that the following issues broadly represent the areas raised in the evidence received to date and which will receive the further consideration of the Committee:-
  - the adequacy and resourcing of Child Protection and Family Support systems in Tasmania;

- need for greater transparency and openness in the Department's dealings with members of the public who deal with the child protection system;
- greater clarity and understanding of systems, practices and protocols in Child Protection and consistency in implementation;
- preventing children from 'falling through gaps' by strengthening the relationship and protocols between Child Protection and Family Support services;
- more effective oversight of child protection decision making processes and complaints mechanisms;
- the need to increase capacity in the child protection system with skill development and supervision;
- the adequacy and quality of the out of home care system including carer numbers, training support and recognition;
- leaving care plans for children in care and the possible increase of responsibility for children on long term orders past 18 years of age;
- the need for improved reunification processes and families rights for children in care;
- recognition of rights of children in State care and improving outcomes for children in care;
- the need for health and trauma assessments for children entering care;
- improved resourcing of therapeutic counselling services;
- the role of the independent Commissioner for Children;
- the adequacy and availability of universal services for families and children, including child health, mental health and drug and alcohol services;
- the adequacy of specialist support services, including sexual assault support and family violence counselling;
- early identification of risk and intervention, including the adequacy of early intervention in schools and high risk pregnancies;
- the need for a coordinated, collaborative approach and information sharing between Government agencies and Community Sector Organisations;
- consideration of legislative reform;
- the need for a specialist Children's Court;
- the need for a less adversarial child protection system;
- implementation of reform packages in 2008 and other outstanding recommendations not yet implemented;

- to address long-term contributors to child abuse in Tasmania;
- the need for prevention of the sexual exploitation of children in Tasmania;
- enhancing the role of family group conferencing as an early intervention tool;
- greater recognition of the importance of kinship placements in a child's life;
- the impact of risk management in relation to file closures, cumulative harm and weighting of serious notifications from mandatory reporters;
- need to ensure that legal aid support for members of the public impacted by the child protection system is given greater priority; and
- improving educational outcomes for children in care.

3.6 For the reasons already outlined, the Committee is not yet in a position to report any findings nor make any recommendations with the exception of one specific matter which is dealt with hereunder.

## **4 RECOMMENDATION**

4.1 The Committee recommends that the reporting date for the Committee be extended until Tuesday, 18 October next.

Parliament House  
HOBART  
4 March 2011

Basil O'Halloran M.P.  
CHAIR

## 5 DIVISION

The following motion was proposed by Mr *Groom* at the meeting of the Committee this day:-

“That the Progress Report includes the following:-

Both the Commissioner for Children and the former Commissioner identified circumstances where they had not been provided information they considered necessary in the performance of their function.

This is of serious concern and requires immediate remedy.

That the Committee recommends that section 80 of the Children, Young Persons and Their Families Act (No. 28 of 1997) be clarified to remove any doubt that a request by the Commissioner does not have to refer to a specific head of power but rather would be valid in circumstances where the Commissioner has a reasonable basis for believing that the information request is necessary or convenient in connection with the performance and exercise of his or her functions and powers as broadly stated under the Act or any other Act.”

And the Question being put – That the motion be agreed to, the Committee divided.

### **AYES**

Mr *Groom*  
Mrs *Petrusma*

### **NOES**

Mr *O’Halloran*  
Ms *White*  
Mr *Wightman*

So it passed in the negative.

## 6 APPENDICES

### APPENDIX 'A'

**No.                      Name**

3 Vince McCormack, The Narrative Centre

4 Kate Mooney

6 Peter Gutwein MP

7 Deborah Kyle

8 Jeff Davey, Chief Executive, Bapcare

11 Glenhaven Family Care

12 Dr Joe Tucci, CEO, Australian Childhood Foundation

13 Anthea Vreugdenhil, AASW (Tasmanian Branch)

14 Darren Stops & Tracey Dean

15 Angela Goldsmith, Youth Services Coordinator, Clarence City Council

16 Ms Cate Clark, President – Eastern Shore Community Association

17 Tom Lynch, General Secretary, CPSU (SPSFT) Inc.

18 Dr Sonya Stanford, School of Social Work, University of Tasmania

19 Professor Sandra Taylor, Head of Social Work, University of Tasmania

20 Sonja Vanderaa

21 Betty Roberts OAM, National Social Issues Convenor, Catholic Women's League Tas. Inc.

22 Allan Clark, Director: Human & Executive Services, Tasmanian Catholic Education Office

24 Elaine Bushby, President, National Council of Women, Coalition, Tasmania Inc.

26 Paul Mason

28 Bravehearts Inc.

29 Aileen Ashford, Commissioner for Children

30 The Salvation Army Tasmania Division

32 Tasmanian Government

33 Mental Health Council of Tasmania

34 Steven Bishop

39 Dr Michelle Williams, Staff Specialist Paediatrician, Senior Lecturer, Discipline of Paediatrics and Child Health, University of Tasmania

40 Sexual Assault Support Service

41 Mission Australia

42 Create Foundation

## APPENDIX 'B'

WEDNESDAY, 20 OCTOBER 2010

The Committee met in Committee Room 3, Parliament House, Hobart at 2:00 p.m.

Members Present:

Mr *Groom*  
Mr *O'Halloran*  
Mrs *Petrusma*  
Ms *White*  
Mr *Wightman*

### ORDER OF THE HOUSE

The Secretary took the Chair and read the Order of the House of Assembly appointing the Committee.

### ELECTION OF CHAIR

The Secretary called for nominations for the position of Chair of the Committee, Mr *Wightman* nominated Mr *O'Halloran*, who consented to the nomination.

There being no other candidates nominated, the Secretary declared Mr *O'Halloran* elected as Chair.

Mr *O'Halloran* took the Chair.

### ELECTION OF DEPUTY CHAIR

The Chair called for nominations for the position of Deputy Chair of the Committee, Mr *Groom* nominated Mr *Wightman*, who consented to the nomination.

There being no other candidates nominated, the Chair declared Mr *Wightman* elected as Deputy Chair of the Committee.

### PARLIAMENTARY RESEARCH OFFICER

*Resolved*, That unless otherwise ordered Officers of the Parliamentary Research Service be admitted to the proceedings of the Committee whether in public or private session. (Mrs *Petrusma*)

### NOMENCLATURE

The Committee discussed the nomenclature of the Committee.

*Resolved*, That the Committee be known as the "Select Committee on Child Protection". (Mr *Groom*)

### ADVERTISEMENT OF INQUIRY

The draft advertisement having been previously circulated by the Secretary was taken into consideration by the Committee.

The Committee deliberated.

*Resolved*, That the advertisement be agreed to with such advertisement to be placed in the three daily newspapers on Saturday, 23 October next.

### INVITATIONS TO PROVIDE SUBMISSIONS

The Committee considered the question of whether organisations and individuals should be directly invited to provide submissions to the Committee.

*Resolved*, That the Chair provide the Secretary with a list of prospective witnesses for circulation to other Committee Members and Members of the Committee provide any additional names of any further organisations/individuals to the Secretary. (Mr *O'Halloran*)

### COMMITTEE SPOKESPERSON

*Resolved*, That the Chair be the spokesperson in relation to the operations of the Committee. (Ms *White*)

### FUTURE MEETINGS

The Committee deliberated upon dates for future meetings.

*Resolved*, That the Committee meet from:-

- 10:00 a.m. until 6:00 p.m., 8 November next; and
- 10:00 a.m. until 2:00 p.m., 15 November next. (Mr *O'Halloran*)

*Ordered*, That the Chair provide a list of prospective dates to the Secretary for distribution to the other Members of the Committee.

At 2:28 p.m. the Committee adjourned until 10:00 a.m., Monday, 8 November next.

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MONDAY, 8 NOVEMBER 2010

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members Present:

Mr O'Halloran (Chair)  
Mr Groom  
Mrs Petrusma  
Ms White  
Mr Wightman

Ms Jayne McPherson, Parliamentary Research Officer was in attendance.

**WITNESSES**

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mrs Joanne Shreeve

Paper

Mrs Shreeve circulated a document dated 8 November 2010.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mrs Corrie Bartle

Paper

Mrs Bartle circulated a hand written document undated.

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Ms Deborah Charlton, Family Inclusion Network; and
- Mr Greg Barns

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mr John Ward

The witness withdrew.

Suspension of Sitting 11:55 a.m. until 12:17 p.m.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Ms Tina Tarrant

The witness withdrew.

Suspension of Sitting 12:45 p.m. until 2:00 p.m.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mr Brett Galbraith

Papers

Mr Galbraith circulated the following documents:-

- a document entitled 'Child Protection Committee';
- DHHS memo relating to Current Vehicle Details;
- Application for "Occasional User Status";
- Correspondence dated 17 September 2009 from Mary Antoney, Child Protection Worker and Rosie Crumpton-Crook, Manager, Child Protection Services – SW to Brett and Tracey Galbraith; and
- DHHS Remittance Advice dated 7 January 2009.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Mr Terry Moran

The witness withdrew.

Ms Jayne McPherson briefed the Committee on the services offered by the Parliamentary Research Service.

**RECEIPT OF DOCUMENTS**

*Resolved*, That the following papers tabled this day be received and taken into evidence and reported:-

- Document dated 8 November 2010 (Mrs Shreeve);
- Hand written document undated (Mrs Bartle);

- a document entitled 'Child Protection Committee' (Mr Galbraith);
- DHHS memo relating to Current Vehicle Details (Mr Galbraith);
- Application for "Occasional User Status" (Mr Galbraith); and
- DHHS Remittance Advice dated 7 January 2009 (Mr Galbraith). (Ms White)

*Resolved*, That the following papers tabled this day be received and taken into evidence and not reported:-

- Correspondence dated 17 September 2009 from Mary Antoney, Child Protection Worker and Rosie Crompton-Crook, Manager, Child Protection Services – SW to Brett and Tracey Galbraith (Mr Galbraith). (Mr Groom)

#### **CONFIRMATION OF MINUTES**

*Resolved*, That the Minutes of the meeting held on 20 October last were read and adopted as an accurate record. (Ms White)

#### **INVITATION TO WITNESS**

The Committee deliberated upon the need to call other witnesses.

*Ordered*, That the Editor of the 'Mercury' be invited to appear before the Committee to explain the process for the placement of advertisements in the 'Mercury'. (Mr O'Halloran)

*Ordered*, That the Ministers responsible for the Agencies specified in the Terms of Reference be invited to make written submissions to the Committee and nominate appropriate representatives from such Agencies to appear before it. (Mr O'Halloran)

#### **REPORTING DATE**

The Committee deliberated.

*Ordered*, That the Chair of the Committee move an extension of the reporting date of the Committee until the first sitting day of 2011. (Mr O'Halloran)

#### **MEDIA RELEASE**

The Committee deliberated.

*Resolved*, That the Committee not issue a Media Release prior to each meeting. (Mr O'Halloran)

At 3:38 p.m. the Committee adjourned until 10:00 a.m., Monday, 15 November next.

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### **MONDAY, 15 NOVEMBER 2010**

The Committee met in Committee Room 2, Parliament House, Hobart at 9:00 a.m.

Members Present:

Mr O'Halloran (Chair)  
Mr Groom  
Mrs Petrusma

Ms Jayne McPherson, Parliamentary Research Officer briefed the Committee.

#### **APOLOGIES**

Apologies were received from Ms White and Mr Wightman.

#### **WITNESSES**

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Mrs John Flack
- Mrs Tracey Flack

#### Papers

Mr Flack circulated the following documents:-

- Copy of a series of email communications the first of which dated 19 August 2008;
- Copy of a series of email communications the first of which dated 20 September 2007;
- an email communication dated 31 March 2008;
- an email communication dated 12 June 2008;
- Copy of a series of email communications the first of which dated 3 March 2010;
- Copy of a series of email communications the first of which dated 14 March 2010; and
- Copy of a series of email communications the first of which dated 18 February 2008.

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Ms Judith Clayton  
Papers

Ms Clayton circulated the following documents:-

- Undated submission and supporting documentation entitled 'Private and Confidential'.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Mrs Kirsten O'Halloran

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mrs Jill Beech

Papers

Mrs Beech circulated the following documents:-

- Copy of correspondence dated 14 October 2009 from Mary Mulligan, Child Protection Worker to Ms Gill Beech;
- Copy of correspondence dated 9 November 2009 from Tegan Dwyer, Child Protection Worker to Ms Gill Beech;
- Copy of correspondence dated 17 August 2009 from Leah Woolford, Child Protection Worker to Ms Gill Beech;
- Copy of email communications dated 29 October 2009 between Tegan Dwyer and Ms Gill Beech;
- Copy of email communications dated 2 November 2009 between Bruce Kemp and Ms Gill Beech;
- Copy of correspondence dated 23 August 2010;
- Copy of correspondence dated 23 August 2010;
- Copy of correspondence dated 14 October 2009 from Dr Ian Stewart, Paediatrician to Tegan O'Dwyer

- Copy of email communications undated between Tegan Dwyer and Ms Gill Beech; and
- Copy of document dated 23 October 2009 entitled 'Beech Family Meeting Minutes'.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Louise Stoward

The witnesses withdrew.

At 12:46 p.m. the Committee adjourned until 10:00 a.m., Monday, 23 November next in Burnie.

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**TUESDAY, 23 NOVEMBER 2010**

The Committee met in in Braddon Hall, Burnie Arts & Function Centre, Burnie at 10:00 a.m.

Members present:-

Mr O'Halloran (Chairperson)  
Mr Groom  
Mrs Petrusma  
Ms White  
Mr Wightman

**WITNESS**

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Terry Flanigan

Papers

Mr Flanigan tabled the following papers:-

- Copy of email communication dated 18 November 2010 from Terry Flanigan to Gina Ellis; and
- Copy of document entitled 'Memorandum – Child and Family Services North West Service Centre' dated 16 July 2010.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Sam Ralph

#### Papers

Mr Ralph tabled the following papers:-

- Copy of document entitled 'Timeline';
- Copy of correspondence dated 11 February 2008 from Stuart Mackey, Crisp Hudson & Mann, Barristers and Solicitors to Verney Walker & Co;
- Copy of correspondence dated 17 April 2008 from Stuart Mackey, Crisp Hudson & Mann, Barristers and Solicitors to Helen Ralph;
- Copy of correspondence dated 14 May 2008 from Stuart Mackey, Crisp Hudson & Mann, Barristers and Solicitors to Cheree Eberhardt, Child Protection Unit, Department of Health and Human Services;
- Copy of correspondence dated 29 September 2008 from Stuart Mackey, Crisp Hudson & Mann, Barristers and Solicitors to Child Protection Unit, Department of Health and Human Services;
- Copy of document entitled 'Restraint Order' in the matter 85365/2007;
- Copy of correspondence dated 22 January 2009; and
- Copy of document entitled 'Preliminary Assessment Against Competencies'.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Robyn Gay

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Cheryl Jones, Manager, Glenhaven Family Care; and
- Stuart Lee, Co-ordinator, Glenhaven Family Care.

The witnesses withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee *in camera*:-

- Michelle Blake; and
- Jennifer Macartney

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Christine Reynolds; and
- Ashley Reynolds

#### Papers

Mr Reynolds tabled the following papers:-

- Copy of email communication dated 22 November 2010 from Ashley Reynolds to Tony Poole;
- Copy of email communication dated 23 November 2010 from Ashley Reynolds to Sandy Wittison;
- Copy of email communication dated 23 November 2010 from Ashley Reynolds to the Ombudsman;
- Copy of email communication dated 6 November 2010 from Jennifer Thain to Ashley Reynolds; and
- Correspondence dated 16 February 2010 from Tony Byard, Senior Investigation Officer, Ombudsman Tasmania to Mr & Mrs Ashley Reynolds.

The witness withdrew.

#### **CONFIRMATION OF MINUTES**

The Minutes of the meetings held on 8 and 15 November last were read and confirmed as an accurate record.

At 1:58 p.m. the Committee adjourned until 10:00 a.m., Monday, 23 November next in.

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**FRIDAY, 26 NOVEMBER 2010**

The Committee met in the Conference Room, 4<sup>th</sup> Floor, Henty House, 1 Civic Square, Launceston at 10:00 a.m.  
Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*  
Mr *Wightman*

#### **WITNESSES**

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Ted Sherrin

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Sherilyn McQueen

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Debra Ashlin; and
- Paul Ashlin.

The witnesses withdrew.

The Honourable Member for Bass, Mr Gutwein appeared and was examined by the Committee in public.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Ross Goodsell

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Pauline Roberts

The witness withdrew.

Suspension of meeting 12:30 p.m. to 1:00 p.m.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Christine Diedrichs

#### Papers

Ms Diedrichs tabled the following Paper:-

- Untitled 9 page document

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee *in camera*:-

- Tim Williams; and
- Christine Williams.

The witnesses withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Professor Sandra Taylor, Head of Social Work, School of Sociology and Social Work, University of Tasmania; and
- Dr Sonya Stanford, School of Sociology and Social Work, University of Tasmania.

#### Papers

Dr Stanford tabled the following Paper:-

- Copy of article entitled 'Leave No Stone Unturned: The Inclusive Model of Ethical Decision Making' by Donna McAuliffe and Lesley Chenoweth, appearing in 'Ethics and Social Welfare', Volume 2, Number 1 (April 2008).

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Mark Harris, President 'S.O.S.'

At 2:55 p.m. Mrs *Petrusma* withdrew.

#### Papers

Mr Harris tabled the following Paper:-

- Document entitled 'Mark Harris'.

The witnesses withdrew.

At 3:15 p.m., the Committee adjourned until 10:00 a.m., Monday, 29 November next.

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### MONDAY, 29 NOVEMBER 2010

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*  
Mr *Wightman*

#### **WITNESSES**

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Ken Abery

#### Papers

Mr Abery tabled the following papers:-

- Copy of email communication dated 28 November 2010 from Wayne & Stephanie Dank to Ken Abery;
- Time-line document commencing 'Mid-August';
- Copy of email communication dated 21 July 2010 from Michelle Williams to Tana McMullen;
- Copy of email communication dated 26 November 2010 from Andrew McCann to Ken Abery;
- Copy of 'Essential Information Record' for #1; and
- Copy of 'Essential Information Record for #2.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Lee Smith

#### Papers

Mr Smith tabled the following paper:-

- Brochure entitled 'Explaining Fragile X Syndrome'.

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Aileen Ashford, Commissioner for Children

The witness withdrew.

Mr *Wightman* took the Chair.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Dr Annette Hackett

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Michael Duval

#### Papers

- Main Chance Farm Incorporated Project Brief, October 2010;
- YNOT – Youth Network of Tasmania, Annual Report 2009-10;
- Principles for Evaluating Community Crime Prevention Projects, National Community Crime Prevention Programme – Attorney-General's Department, Australian Government; and
- Pathways to Prevention – Developmental and Early Intervention Approaches to Crime in Australia – Full Report - National

**THURSDAY, 2 DECEMBER 2010**

The witness withdrew.

Suspension of meeting 1:05 p.m. to 2:00 p.m.

The Chairperson took the Chair.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Ronda McIntyre, Manager of Child and Family Services, Salvation Army; and
- Stephen Nelthorpe, Program Manager – Therapeutic Residential Care, Salvation Army

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Garry Bailey, Editor, *The Mercury*

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Tom Lynch, Secretary, Community and Public Sector Union; and
- Emma Gill, Organiser, Community and Public Sector Union.

The witnesses withdrew.

Suspension of meeting 3:40 p.m. to 4:00 p.m.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Carmelita Henri; and
- James Henri.

The witnesses withdrew.

At 4:45 p.m., the Committee adjourned until 9:30 a.m., Thursday, 2 December next.

The Committee met in the Long Room, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*  
Mr *Wightman*

**WITNESSES**

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Alison Jacob, Deputy Secretary, Human Services
- Mark Byrne, CEO, Children and Youth Services
- Mal Phillips, Area Director, North West
- Mike Willie, Area Director, North
- Andrea Sturges, Area Director, South West
- Angela McCrossen, Manager – Child Protection Services, South East
- Jeremy Harbottle, Assistant Director, Children and Youth Services

Suspension of meeting 11:15 a.m. to 11:30 a.m.

The witnesses were further examined.

Paper

Ms Jacobs tabled the following Paper:-

- A personal statement from Alison Jacob, Deputy Secretary (Human Services)

The witnesses withdrew.

Suspension of meeting 12:50 a.m. to 2:00 p.m.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Vince McCormack

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Paul Mason

At 3:47 p.m. the Committee resolved to hear the witness *in camera*.

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Mary D'Elia, Bapcare State Operations Manager; and
- Trisha Males, Program Manager – South West Family Services

At 4:38 p.m. Mr *O'Halloran* withdrew.

Mr *Wightman* took the Chair.

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee *in camera*:-

- Di Hankin

The witness withdrew.

At 5:23 p.m., the Committee adjourned until 10:00 a.m., Monday, 6 December next.

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**MONDAY, 6 DECEMBER 2010**

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*  
Mr *Wightman*

**WITNESSES**

The following witness made the Statutory Declaration and was examined via telephone by the Committee in public:-

- Joe Tucci, Australian Children's Foundation

The witness withdrew.

The following witnesses made the Statutory Declaration and were examined via telephone by the Committee *in camera*:-

- Carolyn Pearson;
- Susan Reynolds; and
- Michelle Sharman.

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Wendi Gittus

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Michelle Swallow, Chief Executive Officer, Mental Health Council

The witnesses withdrew.

Mr *Wightman* withdrew.

Suspension of meeting 12:28 p.m. to 2:00 p.m.

The following witness made the Statutory Declaration and was examined via telephone by the Committee in public:-

- Yvonne Maxwell

The witness withdrew.

The Following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Berry Dunston

Paper

Ms Dunston tabled the following Paper:-

- Document entitled 'Parliamentary Committee on Child Protection'.  
The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Michael Stephens, Deputy Secretary, Department of Justice;
- Robyn Yaxley, Senior Consultant, Strategic Policy and Projects Branch, Department of Justice; and
- Jim Connolly, Administrator of Courts.

The witnesses withdrew.

#### **FURTHER EVIDENCE**

The Committee deliberated.

*Ordered*, That Mark Byrnes, CEO, Child Protection Services, Department of Health and Human Services be recalled to be examined *in camera* in relation to the details regarding outsourced residential service providers:-

- a. process for engagement;
- b. standards, including Occupational Health and Safety standards, specified in service agreements between the Government and such providers;
- c. how are such standards monitored and enforced; and
- d. what review mechanisms, if any, exist and what are the details; and
- e. reporting mechanisms, if any, for children in approved residential care who are charged with a criminal offence or appear in Court or who are otherwise involved in serious misconduct?

*Ordered*, That the following additional information be sought from the Minister for Children:-

1. Regarding children in State care:-
  - a. what percentage of such children come from circumstances where:-
    - i. poor mental health; and/or
    - ii. drug and alcohol abuse; and/or
    - iii. domestic violence has been identified as a contributing factor to their need for State care?

b. what percentage of such children come from circumstances where:-

- iv. emotional; and/or
- v. physical; and/or
- vi. sexual

trauma has been identified as a contributing factor to their care?

c. what is the breakdown, by percentage, of the highest level of education attained by such children?

2. Are statistics held concerning the highest level of education attained by the parents/grandparents of children in state care and if so, what are the details? (Mr *O'Halloran*)

The Committee deliberated.

#### **SITE VISITS**

*Resolved*, That the invitation of the Deputy Secretary of the Department of Health and Human Services to meet with employees at the service centres be accepted. (Mr *O'Halloran*)

*Ordered*, That arrangements be made to facilitate the visit of members of the Committee. (Mr *O'Halloran*)

At 4:28 p.m., the Committee adjourned until 10:00 a.m., Friday, 10 December next.

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### **FRIDAY, 10 DECEMBER 2010**

The Committee met in Committee Room 1, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *Wightman* (Acting Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*

#### **APOLOGIES**

An apology was received from Mr *O'Halloran*.

#### **WITNESSES**

The following witness appeared made the Statutory Declaration and was examined by the Committee in public:-

- Sonja Vanderaa

## Paper

Ms Vanderaa tabled the following Paper:-

- Australian Childhood Foundation – Discussion Paper 1 – “Responding to children who have experienced abuse related trauma – Ideas for school based treatment”.

The witness withdrew.

The following witness made the Statutory Declaration and was examined by the Committee in public:-

- Danielle Gale

The witnesses withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee *in camera*:-

- Dr Tracey Dean; and
- Darren Stops.

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Allan Clark, Director – Human & Executive Services, Catholic Education Office

The witness withdrew.

## **CONFIRMATION OF MINUTES**

The Minutes of the meetings held on 23, 26 and 29 November and 2 December last were read and confirmed as an accurate record.

## **CORRESPONDENCE**

Mrs *Petrusma* circulated an email communication from Ashley Reynolds dated 9 December last detailing concerns relating to evidence heard by the Committee in public.

The Committee deliberated.

*Ordered*, That the Secretary respond to such communication. (Mrs *Petrusma*)

## **WITNESSES**

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Katrina Garth; and
- Deborah Charlton.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Steven Bishop

The witness withdrew.

Suspension of meeting 1:10 p.m. to 2:20 p.m.

## **RECEIPT OF SUBMISSIONS**

The Committee deliberated.

*Resolved*, That the submissions 1 to 44 be received and taken into evidence. (Mr *Wightman*)

## **PUBLICATION OF SUBMISSIONS**

*Ordered*, That pursuant to Standing Order 363, the following submissions be published:- 3; 6; 8; 11; 12; 14; 17; 18; 19; 20; 22; 26; 29; 30; 32; 33; 34; and 40. (Mr *Groom*)

## **INQUIRY PROGRESS**

The Committee deliberated upon the progress of the inquiry.

*Resolved*, That the following dates be set aside for future meetings:- 8 and 9 February next.

*Ordered*, That invitations to appear be issued to Mr Mark Byrne, CEO, Children and Youth Services, Department of Health and Human Services and the Director of Legal Aid Commission of Tasmania. (Mr *Groom*)

## **ORDER FOR DOCUMENTS**

*Ordered*, That:-

- (1) A copy of the document/s entitled “K&E combochronolgy”, also known as “PN combochronolgy”; and
- (2) A copy of the document entitled be provided. (Mrs *Petrusma*)

**WITNESSES**

The following witnesses appeared made the Statutory Declaration and were examined by the Committee in public:-

- Elizabeth Little, Manager, Sexual Assault Support Service;
- Dianne Calderbank, Team Manager, Sexual Assault Support Service; and
- Morgen Hughes, Team Manager and Case Management Officer, Sexual Assault Support Service.

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Sharyn Lidster, General Manager, Strategic Policy and Performance, Department of Education;
- Katrina Beams, Manager School Support, Learning Services South, Department of Education;
- Jenny Leppard, Principal Mount Faulkner Primary School; and
- Jan Batchelor, Manager, State and National Programs, Department of Education.

The witnesses withdrew.

At 5:02 p.m., the Committee adjourned until 10:00 a.m., Friday, 17 December next.

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**FRIDAY, 17 DECEMBER 2010**

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr O'Halloran (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*

**APOLOGIES**

An apology was received from Mr *Wightman*.

**WITNESSES**

The following witness appeared made the Statutory Declaration and was examined by the Committee *in camera*:-

- Anthony Hadfield

The witness withdrew.

The following witnesses made the Statutory Declaration and were examined by the Committee in public:-

- Scott Tilyard, Acting Deputy Commissioner
- Sandra Lovell, Manager, Executive Support
- Sergeant Rebecca Bain

The witnesses withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Dr Michelle Williams
- Dr Fiona Wagg
- Anne Easterher
- Barbara Moerd

The witnesses withdrew.

The following witness was recalled and was examined by the Committee *in camera*:-

- Louise Stoward

The Committee continued hearing the witness in public.

The witness withdrew.

At 12:50 p.m., the Committee adjourned until 10:00 a.m., Tuesday, 21 December next.

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**MONDAY, 21 DECEMBER 2010**

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr O'Halloran (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*

Mr *Wightman*

**WITNESSES**

The following witness made the Statutory Declaration and was examined by the Committee in public via telephone:-

- Carol Ronken, Bravehearts

The witness withdrew.

The following witness made the Statutory Declaration and was examined by the Committee in public:-

- Betty Roberts O.A.M., National Social Issues Convenor, Catholic Women's League Tas. Inc.

Papers

Mrs Roberts tabled the following Papers:-

- Newspaper clippings (9 pages);
- Biographical Information – Betty Roberts O.A.M.
- Copy of document entitled 'A Fundamentally Different Approach – Drug Strategy 2010';
- Copy of Document entitled 'Addiction is a Major Health Issue';
- Copy of "Letter to Bill Wilson from Dr. Carl Jung" dated 30 January 1961; and
- Copy of Document entitled 'Topic 1 – The Process of Addiction'.

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- John Flanagan

The witness withdrew.

The following witnesses made the Statutory Declaration and were examined by the Committee in public via telephone:-

- Talwyn Davies; and
- Jane Davies.

The witnesses withdrew.

The following witness made the Statutory Declaration and was examined by the Committee in public via telephone:-

- Jacqui Reed, C.E.O., Create Foundation

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee *in camera*:-

- Angela Mieztis, Principal, Moonah Primary School; and
- Barbarah Harrison, Teacher, Moonah Primary School.

The witnesses withdrew.

**ORDER FOR DOCUMENTS**

*Ordered*, That a copy of the document entitled "Be Heard" be provided. (Mrs *Petrusma*)

Suspension of Sitting 1:03 p.m. to 2:00 p.m.

**WITNESSES**

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Simon Paul, Coordinator, Clarendon Vale Neighborhood Centre

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Noel Mundy, Mission Australia

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Anne Hughes, Australian Association of Social Workers; and
- Virginia Allanby, Australian Association of Social Workers

The witness withdrew.

The following witness made the Statutory Declaration and was examined by the Committee in public via telephone:-

- Hal Fogg

The witness withdrew.

At 4:51 p.m., the Committee adjourned until 9:00 a.m., tomorrow.

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**TUESDAY, 22 DECEMBER 2010**

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*

The following witness made the Statutory Declaration and was examined by the Committee in public:-

- Colleen Cowen

The witness withdrew.

The following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Mark Taylor; and
- Rebecca Taylor

At 9:48 a.m. Mr *Wightman* took his seat.

The witnesses withdrew.

The following witness made the Statutory Declaration and was examined by the Committee in public via telephone:-

- Alanna Day

The witness withdrew.

The following witnesses were recalled:-

- Mark Byrne, CEO, Children & Youth Services
- Andrea Sturges, Area Director, DCYFS, South West
- Jeremy Harbottle, Assistant Director, Children & Youth Services

The following witness made the Statutory Declaration:-

- Julian Joscelyne, Manager, Family and Community Services

Such witnesses were examined by the Committee *in camera*

Papers

Mr Byrne tabled the following Papers:-

- Department of Health and Human Services Funding Agreement between the Crown and the Salvation Army (Tasmania) Property Trust;
- Amended Application to the Tasmanian Department of Health and Human Services – Therapeutic Residential Care Services for Children and Young People in the South West/South East of Tasmania 2010-2013;
- Draft Human Services Resource and Performance Agreement – Department of Health and Human Services;
- Document entitled “An outline of National Standards for Out-of-Home Care”;
- Department of Health and Human Services Funding Agreement between the Crown and Anglicare Victoria Inc.; and
- Department of Health and Human Services – Care and Support Services for Children and Young People: Residential Care Services – Application for Funding – North.

The witnesses withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- William Yabsley

## Paper

Mr Yabsley tabled a document entitled "Brief to Parliamentary Select Committee on Child Protection".

The witness withdrew.

The following witness appeared, made the Statutory Declaration and was examined by the Committee in public:-

- Norman Reaburn, Director, Legal Aid Commission of Tasmania

The witness withdrew.

The following witness made the Statutory Declaration and was examined by the Committee *in camera* via telephone:-

- Megan Williams

The witness withdrew.

At 12:44 p.m., the Committee adjourned until a date to be fixed.

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## THURSDAY, 17 FEBRUARY 2011

The Committee met in Committee Room 2, Parliament House, Hobart at 10:00 a.m.

Members present:-

Mr *O'Halloran* (Chairperson)  
Mr *Groom*  
Mrs *Petrusma*  
Ms *White*

### **APOLOGY**

An apology was received from Mr *Wightman*.

### **RECEIPT OF DOCUMENTS**

*Ordered*, That the following documents be received and taken into evidence:-

1. Create Foundation – Be.Heard Tasmania, July 2008-June 2010, Final Report;
2. Commissioner for Children Tasmania – Inquiry into the circumstances of a

12 year old child under the Guardianship of the Secretary – Final Report;

3. "Growing the strong, together: Promoting the Safety and Wellbeing of the Northern Territory's Children" – Summary report of the Board of Inquiry into the Child Protection System in the Northern Territory;
4. "Financial and Non-financial Support to Formal and Informal Out of Home Carers" – Final Report to the Department of Families, Housing, Community Services and Indigenous Affairs by the Social Policy Research Centre – November 2010; and
5. "Evaluation of the Child Protection Scheme of Income Management and Voluntary Income Management Measures in Western Australia" – Report to the Department of Families, Housing, Community services and Indigenous Affairs by Orima Research – September 2010. (Mr *Groom*)

### **ISSUES PAPER**

The Issues Paper, as previously circulated was taken into consideration.

The Committee deliberated.

*Resolved*, That:-

1. the draft report structure as circulated by Mrs *Petrusma* be utilised for the final report; and
2. a further Issues Paper be prepared in accordance with such structure (Mr *O'Halloran*)

### **REPORTING DATE**

*Ordered*, That the Chair seek an extension of the date for the bringing up of the final report of the Committee until Tuesday, 18 October next. (Mrs *Petrusma*)

At 12:13 p.m., the Committee adjourned until 11:00 a.m., Friday, 4 March next.