

TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Children Affected by Parental Incarceration

Melbourne—Wednesday, 30 March 2022

MEMBERS

Ms Fiona Patten—Chair

Dr Tien Kieu—Deputy Chair

Ms Cathrine Burnett-Wake

Ms Jane Garrett

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Mr Craig Ondarchie

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Mr Tim Quilty

Dr Samantha Ratnam

Ms Harriet Shing

Mr Lee Tarlamis

Ms Sheena Watt

WITNESS (*via videoconference*)

Mrs Anne McLeish OAM, Director, Kinship Carers Victoria and Grandparents Victoria.

The CHAIR: Good morning, everyone. I declare open the Legislative Council Legal and Social Issues Committee's public hearing for the inquiry into children of parents experiencing incarceration. Please, even though we are online, make sure your mobiles are turned to silent or even, preferably, off.

May I start by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various and many lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly want to welcome any elders or community members who are participating today to impart their knowledge of this issue to the committee, or who are watching the broadcast of these proceedings. I welcome everyone who is watching these proceedings for what I think is going to be, I hope, a very fruitful inquiry and an inquiry into an incredibly important issue.

We are very pleased to be joined by Anne McLeish OAM. She is the Director of Kinship Carers Victoria and Grandparents Victoria. Anne, we are delighted that you could join us.

Can I just explain parliamentary privilege and Hansard, which is happening in the background. All evidence taken is protected by parliamentary privilege, and that is provided by our *Constitution Act* but also the Legislative Council's own standing orders. Therefore, any information that you provide to us today is protected by law. You are protected against any action for what you say during these hearings, but of course if you were to repeat the same things outside the confines of this hearing, you may not have that same protection. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

As I mentioned, we have got Hansard in the background. They are recording today, they are hanging on to every word you say, and they will provide us with a transcript of today's hearing. That transcript will ultimately be made public via the committee's website. You will be sent a copy of that transcript in a few days or so, so I would encourage you to have a look at that and make sure that we have not misheard you or misrepresented you in any way.

Again, Anne, we greatly appreciate you making the time to meet with us today, but also, as I said prior, we thank you for the work that you have done for our community and particularly for the children in it and for the carers that work so hard to keep them safe. If you would like to make some opening remarks, then I will open it up for a committee conversation. Thank you.

Mrs McLEISH: Thank you for the very warm welcome, Fiona. I take this opportunity to congratulate your standing committee on the work that it does. If you have some knowledge of us, we also have some knowledge of your work—

The CHAIR: Thank you.

Mrs McLEISH: and we have reason to be pleased about many of the things that the standing committee has said and done on behalf of Victorian families and the community at large, not the least of which is some attention to legislation changes. So strength to your arm is what I want to say to all of you. I particularly want to congratulate Rod I think it was that you said that initiated this particular proposal. This investigation came a little bit from left field. We did not see this one coming, but we are ever so pleased that it is here because although it does not affect huge numbers of our families, it does affect those families pretty profoundly across generations, so it is a really important issue to investigate.

I come to this particular conversation of course from the standpoint of being a representative who represents the best interests and the views of the vulnerable families in Victoria. But also an ancestor of mine founded Strathfieldsaye estate, which is a heritage-listed estate, and for many years we had arrangements with the prisons down there and we had prisoners released to the estate on block release for weekends and one day during the week here and there to work on the estate. As part of that program we conducted picnics and weekend gatherings for the families of the prisoners. So for some time even before I got to think about this issue from the viewpoint of kinship carers I understood the importance of connecting prisoners with their families, not just with the outside world but most particularly with their families. So we are interested in

supporting the vulnerable families but also addressing recidivism. It is not easy to keep people from being repeat offenders, but it is possible, and it is possible only with connection with family I suspect. So they are the two experiences I bring to this. So it is about community health as well as family health, and I am sure that you understand that full well. Thank you.

The CHAIR: Thank you so much, Anne. You are absolutely right. That thought of being able to have picnics for families of prisoners on a weekend just sounds so wonderful and something that seems almost impossible in today's environment, sadly, but hopefully one day. I might start some of the questions. Kinship Carers Victoria did do a really longitudinal study. I think you interviewed well over 100 families. I know you did not look specifically at families where the parents were incarcerated, but I wonder if that gave you any insight. Were there any unique needs for those carers and kinship carers that were looking after children whose parents were incarcerated?

Mrs McLEISH: Well, I am pleasantly surprised that you knew about that longitudinal study. Just for everybody's benefit, it was a study where we tracked 100 kinship care families for 10 years, and we interviewed them once a year. What we were wanting to do was track the highs and lows and see how these families travelled over time. The good news story is that despite some hiccups along the way they eventually got there. But you are asking me what got them there, to the end.

The CHAIR: Yes.

Mrs McLEISH: Yes. There are two themes. They need more financial support, Fiona. As you said, they are doing this on, you know, so little income and such small grants from governments, both federal and state, that it is shameful. It really is shameful. They get less than foster carers. So 75 per cent of the care in Victoria is provided by kinship care—75 per cent—and they get far less than foster carers. You do not have to know any more than that. So there is financial compensation that is important, and the other one is a recognition that they are families, they are not professional carers. They are not like the carers in residential care or foster carers, they are family and they want to be treated and recognised as family—as people who are trying to hold their families together across generations. And so that recognition will bring with it a whole lot of supports, and we hope that the recognition will bring with it not isolation but a recognition by the wider community that these people are contributing an enormous amount to the health of the whole state.

So, recognition and more financial support—and then leave them to it and create safety nets. And there are occasions where we do need to create safety nets, but the safety nets have to be specific to the problems that they have got—hence this inquiry. It is why I was so chuffed to hear about this inquiry, because we cannot expect these people to heal themselves by just accessing the usual run-of-the-mill services and joining a queue a mile long. They need specialist services about what it is like for families affected by prison.

The CHAIR: Yes. Thanks, Anne. Yes, we actually have an amazing secretariat team that did alert us to the longitudinal study, so I cannot take credit for that. But it was really interesting, and I think what was really extraordinary was the impact of family when we look at the pathway to the justice system from out-of-home care and the fact that kinship care actually stops that. I am just wondering if you could tell us what your study found around those connections with the justice system and out-of-home care and protection.

Mrs McLEISH: Well, at various points when the study was going on Victoria Legal Aid also did some work unpacking the statistics about young people. Why is it that some people keep coming back pretty quickly, and who is it that keeps coming back pretty quickly? And what they found was two things: that where young offenders offended the first time, if they could connect them back with their kinship family—this is kids in out-of-home care, not all kids, just kids in out-of-home care—then they did not reoffend; and that there was very low incidence of kids overall from kinship care families who offended. So there is that word again—family. It just seems that kids, even when they are potential offenders on the start of the pathway or potential—if we can strengthen their family connection, then they get diverted. And it is the best diversion program that there is if we pay attention at that level rather than after they get charged.

The CHAIR: Yes. No, that is right. And I think that is really important, because we know when a person's family is incarcerated, a person's parents are incarcerated, the likelihood of them being put into an out-of-home care circumstance which sends them along that trajectory is so much greater—so yes.

Mrs McLEISH: Yes. We are talking here about early intervention—get in early. If they tick all the boxes and there is that likelihood, go to that kinship care family and say, ‘Look, what do you need by way of a little extra help to keep these kids on the right pathway?’.

The CHAIR: Yes. Just quickly, because I must not take up all the time: is there anything that has struck you—any sort of anecdotes or anything that has struck you—specifically about the inquiry that we are looking at, so specifically about those children who have parents who are incarcerated? From your members, is there anything specific that we should be doing in those circumstances?

Mrs McLEISH: Well, yes. I spoke to a number of them, none of which wanted to appear in public, Fiona. I apologise for that. But we are helping some of them to write their letters to you.

The CHAIR: Great.

Mrs McLEISH: And I will give you some phone numbers if you want to speak to some of the more poignant stories later. They all talked about this having an extra layer of shame attached to it. It is bad enough being raised by your elderly grandparents and the kids in your school knowing that you are in kinship care. It is even worse if somehow it is revealed that you have got a parent in prison. Kids are labelled and stigmatised by this. Their carers do all that they can to help the children cope with that. They cannot take it away—it is a fact of life—but they can help them to cope, so many of them seek some counselling services for their children. But they are so rare. They are so hard to get. They just join a queue a mile long. So that is the first problem. I have got some ideas about how we fix this.

The second one is that they find it really difficult to straddle that path between doing what the law demands and doing what the children need and at the same time fulfilling their right as an adult who wants to keep their family connected. Yesterday I spoke to a woman whose brother has been on remand for 2½ years. He is charged with a sexual harassment or assault event. I did not ask what the guilt was—that is not my business. But she said in remand he is treated like he is in a fully fledged prison, and it is very hard to make arrangements for him to have connections with his children. His relationship with his children before he went into remand was not at issue. The children had not been removed from him, and the children are fretting for him. That connection for 2½ years on remand is problematic. This woman works for the prison system herself, so she found it extraordinarily difficult. In the end she said that she found a very sympathetic worker at the remand centre who understood this dilemma and understood the connection between family and a lack of recidivism and family and family health. So she has arranged some creative levels of connection between this father and his children. But why should that only happen as a result of accident, more or less, and only in that one case, where the person happened to work for the prison system?

The CHAIR: Yes. No, it should be—

Mrs McLEISH: It should be universal. Every prison facility, I think, should have a specialist counsellor attached to it whose role it is to craft connection between the outside family and the prisoners, according to what the law says about the rights of the prisoner—we do not want to fly in the face of what the law says, so if they are in high security that is a different arrangement altogether—and in response to the needs of the family. It takes a specialist to craft an individual plan of family connection for each prisoner and family, but that is what is necessary.

The CHAIR: Yes. No, thank you, that is really helpful. I will go to Deputy Chair Tien Kieu, then I will go to Tania, Cathrine and Rod. Tien.

Dr KIEU: Thank you, Chair. Thank you, Mrs McLeish, for your presentation today, and also I would like to echo what the Chair just said. Thank you to Kinship Carers Victoria for your very important and very necessary work you are doing. Kinship Carers Victoria has been recognised by government and it was formed in 2011. The longitudinal study we discussed just now has been very, very successful and effective. About 1 per cent of the children living with kinship carers in Victoria have had some contact with the justice system as compared to 46 per cent in general out-of-home care.

So my question is: you also then conclude that there is still a vacuum of policy and support for the kinship carers—could you firstly expand on that. Secondly, the kinship carers program is not available for everyone, maybe because they do not have the extended family, maybe because of some other circumstances. So what

lesson have we learned from the kinship carers program that we can then apply to some cases, other situations, where people do not have that access? I know that family connection is the key factor, but are there any other elements that we could learn from your kinship carers program so that we can then be more effective in looking after the children of people who may be in remand or incarcerated? Thank you.

Mrs McLEISH: Two things. I think that we could improve on the story for the longitudinal study even more if we had an individual plan for every vulnerable child in Victoria. We call it a family conference or a case management. So no child should even be placed in residential care without the department having to have a meeting with family or friends of this child. The idea would be: 'Let's sit around this table. We reluctantly concede that this child has to go into residential care for various reasons'. But that should not be like going into a black hole. 'So what can we'—family and friends, school principal, whoever it is—'sitting around this table all bring to this child's wellbeing? What can we do?' So I know that some kinship carers have got children in residential care, but they actually fought with the department for the right to go and take the child out of kinship care, out of residential care, for school holidays and things, to keep that connection with family going. So even before we place the kids in a kinship care family, we need to look at every vulnerable child and have a plan that makes some connection with people that matter in their lives. That can be extended family, the school principal, the football coach—whoever puts their hand up and whoever the child nominates. And then we make the plan. Let us not send messages to these children that they are forgotten by anybody.

It is time consuming, but that is dead easy to do. It really is. It is not intellectually impossible, it just takes people to do it. I would, again, appoint a specialist squad of people who are specialists in running such gatherings—I will not call them 'family meetings', because it could be anybody—like a roving squad, a special program, anybody. If a residential care worker is suddenly overnight presented with a child at 4 o'clock in the morning, which can also happen, then he can ring this centre up and say, 'Look, I've got this child; we really need to have a plan for him, or her'. So that is a new unit that would specialise in this. And those people could work in the youth justice area, not just the residential care but the youth prisons too, for want of a better word. If we cannot get them out, at least we can wrap them around some support mechanism. It might be that all that support mechanism does in the short term is go and visit the child. But long term, when we get them out, then we take them up.

Dr KIEU: Thank you. Thank you for that insight.

The CHAIR: Thank you, Tien. Tania—Ms Maxwell.

Ms MAXWELL: Thank you, Mrs McLeish, for joining us today. I just want to go back to talking about that specialist team. Do the department already have those specialist case managers and do they have those individual care plans for each young person, particularly those who may be in out-of-home care?

Mrs McLEISH: There are case managers for all of the kinship carers who have got a court order, and they are meant to do this plan, but they do not very often happen. I do not know if you are aware of what has happened, but there have been fairly severe cutbacks within the child protection area over the last three or four years and we have divisions and areas in Victoria that are operating on one-third of their child protection staff allocation, so it is not happening. But that is only for the kinship care. I am talking about a plan for every vulnerable child in Victoria, no matter where they present, which means that you would have to have a unit that sits outside child protection and is available to all.

Ms MAXWELL: So, Anne, what would be the definition or the criteria for a vulnerable child?

Mrs McLEISH: Of course most of them are presented through the Department of Families, Fairness and Housing, so that happens as a result of a police call—all those usual procedures. But I think that sometimes the children go straight from police to residential care, and it takes a while for them to come back through the department. So the police could initiate this initial meeting too.

Ms MAXWELL: Okay. Thank you.

The CHAIR: Cathrine Burnett-Wake.

Ms BURNETT-WAKE: Thank you, Mrs McLeish, for coming along and joining us today. What you have said has been so insightful, so thank you very much. I am learning a lot. I just want to go back—in your

opening remarks you talked about how important was connecting prisoners with their family and how you would organise picnics where children would come along and so forth. I am just wondering if you could give me some more insight into your observations of some of the positives that come out of connecting prisoners with their family, in particular their children, and maybe some adverse consequences of that not happening.

Mrs McLEISH: The consequence of that not happening is in the context of which we were talking about the Strathfieldsaye program. When the prisoners finished their term, some of them had nowhere to go, so they ended up coming to Strathfieldsaye for a short stay while we found somewhere in the wider community for them to go. A few of those ended up back in prison. But when they were released and their term had finished and they had family to go to, they very rarely came back to Strathfieldsaye, except to say hello and usually with their family. They went straight back to their family. That is the difference. And we did not see them again.

Ms BURNETT-WAKE: Thank you. Thank you very much.

The CHAIR: Thanks. Rod Barton.

Mr BARTON: Good morning, Anne.

Mrs McLEISH: What made you start this investigation, Rod?

Mr BARTON: Oh, I was hoping you were not going to ask any of those questions, because I will start crying; I am very famous for crying. We will have a drinking game again, Fiona. People close to me. We lose them, and we should not.

Mrs McLEISH: That is right.

Mr BARTON: So, again—sorry, Chair.

The CHAIR: Do you want a minute, Rod, or are you right to go?

Mr BARTON: No, I am going to toughen up, princess, so here I go. All right. The first thing I will go to is the shame issue. Can you just say how important it is that we address this. The pressure on the kids—that sort of flows under the radar a little bit. Could you tell the committee a bit more about that?

Mrs McLEISH: Well, I feel really inadequate—bearing in mind that I am talking to somebody who has had personal experience; I have not. I have only got it second hand from talking to the carers—in talking about the sense of shame. I can only imagine how potent it is. Can you imagine being a young child, particularly a teenager who is searching for their identity and their place in the world, to have to deal with the knowledge, if not the public knowledge, that their mum or dad might be in prison? It is quite the burden. We cannot do anything about that except give those children the inner strength to deal with it, and we are not very good at doing that—we barely recognise it as a system.

I think that where families have got a family member in prison and the children are being raised by somebody else, they should be given priority counselling, those children, and it should happen right from day one. We should be aiming to prevent the trauma of the teenage years. Being a teenager is hard enough. It is like temporary insanity for some kids. They do not know what their hormones are doing to them. So it is hard enough, but with this as an overlay it is doubly hard. I just cannot imagine what would go on in their minds about whether there is a connection to this turmoil and their likelihood of offending. I do not know, but therein is an important bit of research for the Victorian government to do, I think.

Mr BARTON: Well, we create pain, and that pain will go with their lives, all their lives.

Mrs McLEISH: That is right.

Mr BARTON: Anne, as you know, we are going to make a set of recommendations, and I think it is going to be more than three. But if you had your top three, what would be your priorities if you were talking to the Premier—so, ‘Premier, we need to do A, B and C’? From your experience what do you suggest?

Mrs McLEISH: I would want to intervene first at the level of the prisons, and I would want, as I said at the outset, each prison with a specialist officer whose job it was to craft family connection programs for each

prisoner, and if not family connection, then some outside connection. That can be as sophisticated as telephone calls between family and children—if they have to be supervised, then so be it, but it must happen—right through to block releases to some facilities where we can get the families together for picnics and weekends. At Strathfieldsaye we even got some families together for weekend stays. They were not just petty criminals; two of them were murderers, and we connected them with their families.

Mr BARTON: Wow.

The CHAIR: Yes. That importance of family connection.

Mrs McLEISH: So for each prisoner to have an officer responsible, or two officers or a team, that makes responsible plans. In Sale it was relatively easy, because the people who were down in Sale were deemed to be medium or really low risk, so it was quite informal. It was by arrangement with the warder that the program got going. In bigger and more formal prisons I understand that the challenges will be greater, but let us start there. So that is the place to start—humanise the prison system. But it is particularly important where young people are in prison. We really have to give priority to making sure that those young people have some really strong connections. That is not an optional extra. It has to be created by somebody.

Mr BARTON: Yes. It is one challenge to keep the connection while the parents are inside, but there is also that challenge coming out, and as the Chair knows, if they have not got a home to go to, this other stuff—we have got nowhere to go there.

Mrs McLEISH: Yes. So that is my first. My second is that all of the counselling services now are under extraordinary pressure, but there is an interesting trend going on: they are all specialising, so they are all specialising in early childhood or something else, and because we have got people who want specialist counselling for the kids who have got a parent in prison, and counsellors say, ‘Oh, I don’t specialise in that area’. So we are in the age of specialisation, so be it. But if that is the case, then we want the government to fund a team of specialist counsellors who are prepared to deal with families where incarceration is an issue—so specialist teams for that.

And the third one which we have not talked about much is the importance of education. Education is the way to divert these kids. We need to keep them at school. We need to make sure that they experience success at school, not failure, and therefore we need the education department to have specialist services available for kids so affected.

The education department in Victoria is doing a pretty good job of responding to kids with specialist needs really; it is taking a while, but they are doing some interesting work. One of the more interesting success stories is the Lookout centres. There are four of them around the state, and their job is to broker connection between kinship care families and schools. I want them to be given top-up funding to do some extra work and employ somebody extra to look at the kids who have got family members in prison and to support them in their school endeavours. I want to know how they are performing. I want to know how many are at risk and what we can do quickly to divert them. The structure exists there within the education department; we just need to give them some top-up funding and the responsibility for doing that bit of thinking and working.

Mr BARTON: That is one of the challenges, isn’t it, that we do not know what we do not know when people start losing their way and stuff like that, so if we cannot react to that—

Mrs McLEISH: That is right.

The CHAIR: Thank you. I think for all of us who have been doing an inquiry into homelessness, an inquiry into the justice system—education, education, education, and housing.

Just looking at those triggers and that starting from day one support, do you know what happens when a parent is taken into custody? Do you have any idea about what process happens to those children at that time? What happens at that moment?

Mrs McLEISH: Well, it is usually the police that will ring child protection services, and then child protection services through various means will ring somebody, usually the grandparents, and deliver the children to the grandparents usually at about somewhere between 1 and 4 o’clock in the morning. Thank God

most of them are delivered to the grandparents. That is what I say, but the reason is that most children do know something about the grandparents, even if they are so isolated that they do not know anything else. If they do not know cousins or aunts, they will know about grandparents, so they are able to say 'Nanna' such and such.

The CHAIR: Yes. And that might be the spot that a whole bunch of other actions should be initiated, at the point that those services are—

Mrs McLEISH: Yes. A very big flag should go up in various departments, not just child protection, and if I had my way, this specialist unit—big red flag, right, everybody swarms in.

The CHAIR: Yes. That is right: you have got that flying squad coming in at that point. I know Cathrine has got her hand up with a question, and the Deputy Chair has got a question. So I will go to Tien and then Cathrine.

Dr KIEU: Thank you, Chair. I just wanted to add on the sense of shame for the children who have parents in custody or on remand—in incarceration—they may also be ostracised or even have a feeling of being ostracised by their peers or even the society, so that is something that could affect their development and also their contact with the justice system or their ostracisation or whatever way that they feel about it. I have a question: Kinship Carers Victoria have been supported by the government since 2010. Are you aware of any other similar organisation or programs in other jurisdictions, and if you are, is there anything that we could learn from them?

Mrs McLEISH: You are quite right to talk about the shame possibly leading to ostracisation. I am sure that it will for young teenagers. I think they become isolates themselves as result of the shame and possible heckles, and even silence from their peers is—

Dr KIEU: It is a form of bullying.

Mrs McLEISH: a form of ostracisation.

Dr KIEU: Yes.

Mrs McLEISH: And you have to wonder whether that leads them into mixing in the wrong company and going on a criminal pathway themselves. I am sure it does. If you feel that you are a misfit, then you behave accordingly.

No, there is no organisation like ours in other states. Victoria has a proud history of funding statewide peak groups such as Kinship Carers Victoria. Our particular approach goes back to the days of the Cain and Kirner governments. They believed so powerfully in a partnership approach that they set up a number of community organisations and strengthened the community sector and brought the community sector into the decision-making powers. It takes years and it takes a mindset to believe in the wisdom and the experience of the community sector. There are other kinship organisations but not a statewide one. There are bits and pieces all over the place. In Queensland there are a number of regional grandparents groups where the grandparents have called themselves a grandparents group because they are raising the grandchildren. Most of the lessons that we can learn, I think, on this particular subject can be learned from Victoria because, although I have not revisited them for some time, Victoria had the best recidivism figures of any state by a long way; that was, our program seemed to be keeping people from going back to prison. The department of corrections has obviously got those statistics. I do not know how they are currently comparing with other states, but I am hoping that they are still fairly good. The lessons I think we can learn can be learned from New Zealand, though. Their figures are even better, and their connection with family is even better than ours, so that is where we go next, I think.

Dr KIEU: Thank you.

The CHAIR: Thank you for that advice as well, Anne. I am going to go to Cathrine and then Rod.

Ms BURNETT-WAKE: Okay. Hi again, Mrs McLeish. I just had a question in regard to communication channels with the government departments. There are obviously a number of agencies and departments sort of working in this space. We have the police, child protection and the department of education. So I am just wondering about the communication channels between the departments and then back to the carers and if there needs to be improvement and if you have got any ideas on how that could be improved.

Mrs McLEISH: The communications between the department and the carers need to be improved by reinstating some of the staff that we have lost. For this year we have had record numbers of complaints about people not even being able to reach their caseworkers on the phone or through email. I do not think that the caseworkers are being deliberately difficult, I just think that their case loads are huge. That is the first thing to say.

Those communications, once they happen, are often very difficult, but I do not think that there is any way around that. I do not think that that is necessarily anybody's fault. We are dealing with really difficult circumstances here, so many conversations are difficult. We are trying to play our part by improving communication by talking to the carers about different ways of having difficult conversations. For example, we have just bought a class set of books on this subject—how to have a difficult conversation when you are upset—and we are going to run a series of training programs around that.

The third thing I want to say is that when Jenny Mikakos was minister Victoria Police came to the department and to the government and said—this was in the era when legal aid was doing research on youth pathways into prison—‘Our members do not like the fact that they have to arrest young people for what they deem to be misdemeanours’, that the way things are currently structured, sometimes they have got no option but to do that. So we had a Victoria Police/child protection sector joint committee looking at how we could streamline and humanise the connection between Victoria Police and child protection, with the idea of Victoria Police trying to keep kids away from formal charges in the first place. I think that that group was disbanded, and I was just horrified. Who wants to stop a conversation between child protection and Victoria Police? Why did that conversation stop is what I want to know, because we were just getting somewhere about understanding each other's culture and each other's pressures. If Victoria Police say to us, ‘We don't want to be arresting a kid because they threw a stapler across a room’, which is an incident that they actually gave as an example of ridiculousness, then why isn't that conversation going on and on and on and on?

The CHAIR: Indeed. We will see if we can get an answer to that. Rod.

Mr BARTON: Anne, I just want to go back to at what stage the police intervene when someone's parents are getting taken into custody. It comes about because of a story that I was told about a mum going in to report for bail. The kids were in the car. She had breached her bail, she had been arrested and it took some time for ‘There's kids sitting out in the car’. An ex-police officer I know, I asked him. I said, ‘What is the process when you take someone in or you've just arrested someone and what for? When do you ask them about if there are kids in tow or what do we need to do?’. He said, ‘Well, in my 10 years, I never asked that question’. I do not think he is a rogue copper; I just do not think it is in the system to say, ‘By the way, you're nicked, and—

The CHAIR: ‘Do you have any children?’.

Mr BARTON: Kids, yes.

Mrs McLEISH: I am actually not sure, Rod, whether the police can do that or whether they have to just hand them over to child protection. That is an interesting question. I do not know. It could be that the police are charged only with the responsibility of giving these children over to child protection. The police might not have the right to actually place the children anywhere else.

Mr BARTON: No, I am not suggesting that. It is just to find out, first of all, are there any kids involved here. Is there a 12-year-old sitting at home waiting for mum or dad to come home?

Mrs McLEISH: Oh, I see. Oh, yes, it should be the first question they ask. Yes. ‘Are there any children?’.

Mr BARTON: Yes, and I was a little staggered that is not part of the process.

Mrs McLEISH: So am I. I did not know that until now.

The CHAIR: And we certainly heard this in the justice inquiry: that that type of information and type of data at that point—you know, ‘Do you have children? Do you have dependants?’—is not asked. And it was something that we looked at during the justice inquiry as well.

Mrs McLEISH: And ‘Where are they?’.

The CHAIR: And ‘Where are they?’ as well. That is right. Exactly. ‘In the car in the car park out the front’.

Mrs McLEISH: Oh, dear.

The CHAIR: If committee members have no further questions of Anne—I am sure we could have this conversation all day; sadly, we cannot—Anne, thank you so much for your insight today. I think you have, as our first witness, given us a lot of leads as to some of the other lines of investigation that we will take, so we very much appreciate the time that you have given us. As I mentioned, you will receive a transcript of today’s conversation. Please have a look at it and make sure that we did not misrepresent you or mishear you. Hansard is very good at not doing that, so I am sure that they will not have, but please have a check.

I think, on behalf of the committee, we appreciate not only the time you have given us now but the dedication to our community that you have given for all the years that you have been here. I hope that one day we will have that roving, or I like to think flying, squad of specialists who help us to keep these kids safe and keep these families supported. So thank you again.

Witness withdrew.