Child Development Minister Susan Close says she can’t guarantee safety of children in state care

Political Reporter Lauren Novak, The Advertiser
November 22, 2016 7:40am

• Families SA carer charged over sexually abusing children released on bail
• ‘Workload’ no excuse to shelve abuse investigations
• 11 carers returned to work with kids despite red flags
• Another Families SA carer charged with sex offences
• **Analysis:** On a disaster scale of one to 10, this latest scandal is 9.9:

THE Minister responsible for the safety and welfare of thousands of children in state care has disturbingly conceded she cannot guarantee they will not “experience another betrayal” once removed from unfit parents.

In the wake of revelations that another Government carer has allegedly abused children, Child Development Minister Susan Close says the Government is struggling with the “almost intractable problem (of) how to truly care for children whose parents have failed them”.

As revealed in the Sunday Mail, a carer allowed to return to work with children despite being “red-flagged” in a high-level review by a former police commissioner on Monday appeared in Elizabeth Magistrates’ Court charged with persistent sexual exploitation of two children.

The 33-year-old accused smiled in the dock as he was released on $1000 bail, and ordered not to approach his alleged victims nor engage in child services work.
The man accused of sexual exploitation of a two children in his care outside Elizabeth Magistrates Court after being released on bail. Picture: Simon Cross

Former Commissioner Mal Hyde identified 25 employees of Families SA, now called the Child Protection Department, in his 2014 review.

They cared for children in state-run homes and had issues of concern in their employment history. Of those, 11 have been cleared to return to work.

In a 20-minute interview with The Advertiser on Monday Dr Close would not give any details about the process for assessing the suitability of carers to return to work.

She would not comment on:

WHAT basis the charged man, or other carers, were cleared to return to work.

WHAT “red-flags” were raised against them.

WHO formed the panel which assessed and cleared the man, what qualifications they had or if independent assessor were brought in.

Dr Close did say she believed that the department’s deputy chief executive, Etienne Scheepers, would have been the one to give final sign off on carers returning to work.

Dr Close said it was “quite likely” that another four staff who remain suspended following the Hyde review have continued to receive their pay during that time.

She said there were a “mixture of reasons” why those people had been suspended for so long, including workers compensation claims.

“What we have is these competing demands of what appears to be common sense to someone on the street versus what the industrial law allows us to do,” Dr Close said.

“When the Hyde (review) identified the high risk people, it was on the basis of largely their employment process where psychometric testing had raised questions.
“That is not a psychometric test for an inclination to abuse children in anyway.

“You might get a result that says that the person doesn’t deal well with authority. That is something that an employer wants to know (but) it doesn’t necessarily mean that a person’s a paedophile.”

Dr Close argued that the “greatest screening tools in the world” won’t always catch predators.

“I understand that one of the features of being a successful paedophile is the capacity to avoid screening and avoid attention from fellow workers,” she said.

Dr Close has attracted criticism from the Opposition for not reading the full report of the Hyde review when she took on the portfolio.

Opposition Leader Steven Marshall described it as “an abject dereliction of duty that renders her unfit for any role in child protection”.

Mr Marshall is calling for the appointment of a new dedicated Child Protection Minister.

Dr Close told The Advertiser she read the Hyde report “from beginning to end” in the past month but had previously read all the recommendations and was “familiar” with the content.

She acknowledged that allegations about abuse by a Government carer were “highly distressing” for the children and parents involved.
It is absolutely heartbreaking for a child who has already had tremendous trauma and disadvantage (in their family) to then experience another betrayal of humanity (in state care),” she said.

“(But) there is no guarantee of a child who comes into state care having the highest standard of care.

“I wish there were a way for that to be true, desperately, because the decision to remove a child from their biological family is a very weighty decision.”

A ‘gamble too great’ for our children

LAWS stopping people who work with children from being sacked if they are suspected of sexual abuse must be changed, some of the country’s foremost child protection experts say.

They want the rights of Australia’s most vulnerable people to be prioritised over the industrial rights of adults rather than “gamble with children”.

Currently, employers including the State Government have to essentially prove beyond reasonable doubt that the abuse occurred.

Australian Association of Social Workers SA president Dr Mary Hood said managers were not dismissing people because of fears the decision would be challenged under workplace laws.

She said at a person should not be able to return to work with children until evidence cleared them of any wrongdoing rather than relying on the balance of probability.

“It may be cutting across adults’ rights but we’re talking about children and risks to them when left in the care of someone who has had continuing suspicion around them,” she said.

SA Guardian for Children and Young People Amanda Shaw said employment law needed to be “tackled” to focus on children’s rights.

UniSA child protection expert Elspeth McInnes said she would strongly support changing industrial laws to ensure keeping children safe was the first concern.

“It reminds me of a case where a father had his children removed and he was awarded compensation and that really coloured how cases were dealt with thereafter,” she said.
National Children’s Commissioner Megan Mitchell said if someone was unsuitable to work with children or the risk was too high then they should not be left in such a position.

She suggested that the Government could at least transfer them to a position where they were not in contact with children. “We shouldn’t gamble with children,” she said.

Child Protection Reform Minister John Rau said it was “a big step to dismiss” an individual on “mere suspicion”.

“It is sadly not unknown for false or malicious allegations to be made. Suspension eliminates risk but does not breach unfair dismissal laws,” he said.

— Sheradyn Holderhead