

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

**REVIEW OF THE FUNCTIONS EXERCISED BY THE
COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 29 NOVEMBER 2017**

Members

**Hon Dr Sally Talbot, MLC (Chair)
Mr K.M. O'Donnell, MLA (Deputy Chair)
Hon Donna Faragher, MLC
Mrs J.M.C. Stojkovski, MLA**

Hearing commenced at 9.50 am

Mr COLIN PETTIT

Commissioner for Children and Young People, examined:

Ms PATRICIA HEATH

Director, Policy and Research, examined:

The CHAIR: On behalf of the committee, I would like to thank you, commissioner, for agreeing to appear today to provide evidence in relation to this committee's review of the functions exercised by your office. I think you know who we all are, so I am not going to formally introduce us again. It is important that you understand that any deliberate misleading of this committee may be regarded as a contempt of Parliament. Your evidence is protected by parliamentary privilege; however, this privilege does not apply to anything that you may say outside today's proceedings. Today is a public hearing. If during the hearing you feel that the evidence you are about to give should be provided confidentially, please let us know so that we can respond appropriately.

It is great to have you here for the second hearing of what will obviously be a regular occurrence. Just as far as time goes, we generally talk for about an hour. Is that okay for both of you?

The WITNESSES: Yes.

The CHAIR: If we are in the swing of things, we might go a little bit longer, but we will aim for a ballpark hour. What I could ask you to do is consider an opening statement, particularly with the documentation that you have provided us with in the last couple of days.

Mr PETTIT: Sure. Thanks, Chair. I will make a few brief statements. The agenda is quite full, so I do not want to take up too much of that time, and allow questions from the panel itself. I just want to say thank you for the opportunity and perhaps in the first meeting we had I forgot to provide an invitation to each one of the members of the committee that I would be more than happy to meet individually, both formally and informally, around topics of interest to yourself that might need more explanation. I also noted that you have met with a couple of our ambassadors, Steve Zubrick and Donna Cross, and also Grahame Searle. I was really pleased with the commentary that they made and I am more than happy to expand or clarify issues that you may wish to from there. Other than that, I do not want to say too much more because I think the agenda is pretty full and we will leave it to you to guide from there.

The CHAIR: Okay, that is terrific. Yes, you are absolutely right; we have a raft of questions here, which partly reflects the fact that you have such a very large number of projects on the go at the moment. Unfortunately, of course, we have not had time to do a detailed study. We certainly have not discussed as a committee, the material that you have recently given us. Was there another document that you were going to provide us with today—the youth justice paper?

Ms HEATH: Yes; I have a few documents for you.

The CHAIR: Do you want to distribute those now?

Ms HEATH: This one was released yesterday by the full group.

The CHAIR: It is very quick if it is a response to the Don Dale report—is it?

Mr PETTIT: No. It was done in conjunction with all commissioners and guardians around the nation. The aim was to complement some of the issues around youth detention in particular that we anticipated would come from the Don Dale royal commission. Many of the recommendations within this report are very, very similar to the Don Dale report.

The CHAIR: Okay. We will come back to that in due course.

Can we just pick up exactly where we left off last time, which was that you left us to get on a plane to Roebourne? Can we ask you to give us an overview of that trip and what your impressions were and what some of the actions might be coming out of that trip?

Mr PETTIT: I think I outlined at the last meeting a little bit of the trip to Roebourne. We met with a range of local community members in particular. First, we had two very good meetings. The first one was with about 40 senior leaders from the within the community who expressed, predominantly to the Commissioner of Police, their concerns around a range of issues, in particular around housing, safety, education and the lack of joined-up support. That report was cobbled together by the commissioner and was reported back through to the Premier. That was that particular meeting.

The second meeting was an open meeting for the community and there were some 200 people at that meeting. There were a range of local community members but also a number of service providers and agencies at that meeting and, again, it was a listening approach where the commissioner particularly led the meeting and sought opinions about what was happening and what was not happening. It probably replicated the first meeting with many of the issues just expanded on, particularly around housing and support for the community. I notice that it has led to the commissioner now supporting liquor restrictions across the Pilbara as part of that visit. We have certainly come out in strong support of that and placed a recommendation back to the director on that issue. Those were the first steps. I now have meetings with Grahame Searle on 12 December as a follow-up and also a meeting with the Commissioner of Police in early January as a follow-up to see where actions are taken, what actions have been taken and where we might support that action into the future.

The CHAIR: Can you give the committee an idea—I realise this might be slightly subjective—when you were at those meetings in Roebourne, you are presumably wearing your commissioner's hat. What do you see the role of the commissioner in those meetings?

Mr PETTIT: In those particular meetings —

The CHAIR: And in the follow-up as well, driving change.

Mr PETTIT: The first meetings that we went to Roebourne for were really to listen to the community. I think it was really important that we took on the role of actually listening to what they perceived was happening in their community and what they thought were ways of improving it. We then sat with a range of service providers, particularly government service providers, and looked at some of their issues, in particular around staffing issues, that were contributing to some of the problems up there because staffing could not be guaranteed. We talked about how we might support that into the future. So the role of the meeting itself was to really just listen and gather up information. I also spoke to the school, a number of people from the school, and we also spoke to a range of other youth providers up there about their issues. We have been following that up with the police commissioner as well about how we can support them.

The CHAIR: So you see yourself in a support role supporting other agencies to improve their practices and data collection and that sort of thing?

Mr PETTIT: Yes. As a follow-up last week, I met with senior people from the education department and we talked about their role in terms of protective behaviours and how that could and should be improved into the future, particularly for Roebourne but more broadly across all schools—what have we learnt from that and how can we improve? It is about making sure that we look at all the issues that have happened across the board that have contributed to Roebourne and then addressing them through each agency as we can.

The CHAIR: Have you been able to do any sort of monitoring of the implementation of the Blaxell recommendation about the teaching of protected behaviours?

Mr PETTIT: We are talking to the department in particular and, of course, protective behaviours is also under the SCSA banner and the DES banner, which has now been amalgamated with Education. We are talking to them about how we might collect that data. We had written to the director general at one stage and asked her not around protective behaviours but around how is that going to work into the future.

The CHAIR: I remember a hearing with the Department of Education and I was a little bit disconcerted to find that they actually had no idea what was being taught under that heading.

I will just move to another issue that I think we can deal with fairly quickly. I would like to offer my personal thanks and congratulations on the LGBTI paper. It was absolutely outstanding. Have you had a chance to talk to government about the recommendations yet? Would you like to outline what you saw as the —

[10.00 am]

Mr PETTIT: Absolutely. I think the paper was sent through to every member. Hopefully, you have had a chance to have a look at it. The paper was put together to have a look at a number of issues being raised with me specifically around LGBTI and young people in their world and how do we support them to manage and navigate through life. The aim of the paper was to, as it said there, put a discussion out and make recommendations about how can we support children who identify with diverse backgrounds. Sometimes they are confused and sometimes they are very definite about where they are at. We have made a number of recommendations within that paper. Then what we did was have a meeting with around about 20 agencies and not-for-profits to test the paper out to make sure that it covered all the things that we had heard and, in fact, it was quite a strong response from all of them—the people that we had around the table—to say this was a really good step in terms of they could use it themselves into their work.

The recommendations have not yet been progressed to agencies but we are in the process of doing that and, of course, we are also forming two advisory committees next year—one in Bunbury and one in Perth—made up of predominantly young people who will help guide us into that. Now the reason for Bunbury is that Bunbury high school has been running an LGBTI support process for a number of years and have young people leading that process across their school, including helping other students understand diversity and being more accepting of what diversity means to each other. We want to learn from them in terms of what have you done and how could other schools learn from you, so that was the reason we went there. The other one is through the Freedom Centre. We have invited young people from across the metropolitan area to join us next year as an advisory committee. We have stretched it to about the age of 20, because we have had a number of people who would like to reflect on their journey as a 20-year-old. But we have a number of 15-year-olds as well and they will help guide us through that process as well. The paper is the catalyst to start the conversation. There are recommendations that we will be working with a number of agencies on and have started that work.

Ms HEATH: Can I just add one comment there? With the reference group, they had some feedback on the paper. The idea for us was that we wanted to hear what they thought about it. It was a very broad group of stakeholders that we had together there and they did give us some feedback, so we will be making some minor adjustments to the paper. I think probably the best example is that two senior staff people from the gender diversity clinic at Princess Margaret are on that reference group and they raised some issues around the recommendations in relation to surgical intervention for intersex children. What was very striking was the diversity within the diversity that you are dealing with. That is actually a very broad group of children and young people with very different issues in the LGBTI community; you know, intersex versus gay—very different issues. They even raised issues like a lot of intersex people do not identify with the acronym LGBTI; they do not see themselves in that. So it was a very valuable meeting, I think, that provided us with some more food for thought about how we are going to approach working with that. What we are doing now is we are making some adjustments to the paper and we will reissue it as an updated paper, and then we will be taking forward the recommendations. We are doing some work to prepare; for example, some of the feedback was around the capacity of the gender diversity clinic and we are wanting to explore those a bit further.

The CHAIR: I think it is very powerful stuff and I think you are right to include older young people, if that is a phrase we can use, because I think it is one of the biggest areas of development where examples are particularly potent in terms of helping young people work out what is happening to them.

In terms of service provision to LGBTI children and young people, have you done any mapping of the service provision and the segues into your oversight paper?

Mr PETTIT: We certainly have spoken to a whole range of providers in that space as part of the background for this information. We have one of our policy officers working closely with groups like the Freedom Centre to make sure we have covered as many of the agencies and not-for-profits that are available at the moment.

Hon DONNA FARAGHER: I apologise if I should know this, but who is the Freedom Centre, just for, probably, also the purposes of Hansard?

Mr PETTIT: I probably do not know them as well as Trish.

Ms HEATH: They are a service that provides an advocacy and a meeting place for the LGBTI community. It is not young-person focused; it is for all age groups.

Hon DONNA FARAGHER: So it is a not-for-profit?

Ms HEATH: It is a not-for-profit organisation. It is funded through the auspices of the AIDS Council and has a drop-in facility and provides some connecting services for people with LGBTI backgrounds.

The CHAIR: Renee has drawn our attention to the fact that there is a Commissioner for Gender and Sexuality in Victoria. Have you ever come across that person?

Mr PETTIT: There is what, sorry?

The CHAIR: A Commissioner for Gender and Sexuality in Victoria, appointed in 2015 as part of the Victorian Equal Opportunity and Human Rights Commission.

Mr PETTIT: No, I have not come across that person.

The CHAIR: It occurred to us to ask you whether you knew of that position and also whether that commissioner works with children and young people. You might want to put that on your radar next time you are in Melbourne.

Mr PETTIT: I will put it on the radar; thank you.

The CHAIR: I am sure that that person would be interested in seeing your report anyway.

Let us move on to the oversight mapping report. As I said earlier, we have not had time to digest the whole thing. Certainly, I think we have all looked at the recommendations, which are very interesting. Can you just talk us through what this consists of?

Mr PETTIT: Certainly. As you know, this committee made recommendation in its last report that our office have a look at the mapping of oversight, particularly independent oversight, for children and young people in this state. In relation to the Northern Territory, perhaps the point of difference is that we do have a range of oversight agencies here that have allowed us to have a little bit more comfort than the Northern Territory had because they did not have those in place. I think it is a stark example of why oversight committees and agencies need to be in place and well resourced. The report is as you have seen it. I will walk you through it in a moment. There are only six recommendations, but there are some more general discussion points that I think need to be had at government level around oversight agencies. The strength of the oversight agencies we have in Western Australia is that they have very strong legislation and they have very direct powers. However, that can also be its weakness. For example, my oversight is that I cannot take on individual advocacy, and we know that sparks a lot of concern for individuals: how does their voice get heard? There is an issue about some of the legislation and I will go back into that later.

The second element is that many of the oversight committees have very strong functions, but then they are not always resourced to commit those functions. The example is if we were to do an inquiry, which we are considering around, say, child protection, we know it would cost well over \$1 million and we are not resourced to do that. So we would need to, through the powers in the legislation, put through a budget bid. It is a strength of oversight, but it does become a bit of a weakness as well from a government perspective.

Perhaps if I turn to you to the paper and to page 25. It is the pull-out page. I will get Trish to interject from time to time because Trish has held a fair bit of the pen on this particular concept for us. To be really clear, this is about independent oversight of children and young people. We have a number of agencies that have oversight, but they are built with internal structures and that, as we know from the royal commission into child sexual abuse, has a weakness because often if you are actually overseeing something from within, it is harder to bring that forward to particularly leaders of that organisation to bring about change. Independent oversight is really crucial. You can see what we have tried to do here is put a picture in front of all readers about what is in and what is out. For the five or six things at the top there around complaints handling, individual advocacy et cetera, we deem them to be best practice for independent external oversight, and there is more detail of that in the paper. We then looked at how that could be measured against a range of areas, and you see them down the left-hand side. We were quite critical to say that if you met, it had to be well met. It is no good saying we do it sometimes and not others, and I will get Trish to give you some examples of that. In terms of the crosses where independent oversight was absent, it means that it almost never occurs. You will see that what comes out very, very strongly is that independent individual advocacy is a weakness in Western Australia. It is something that we have been talking about a lot and we also put into a range of recommendations. It has come up through the Blaxell report around a one-stop shop and having independent advocacy. It is not new; it is something that we just need to, again, put back on the table and have consideration to. I might ask Trish to walk through it.

[10.10 am]

Ms HEATH: When we thought about this concept, we had an idea in our mind about what we wanted it to be. We realised how pioneering the work actually was when we started looking into

what evidence is there in relation to, firstly, what effective oversight is and, secondly, how does that apply to children and young people specifically. We have had lots of inquiries that have raised issues around oversight and independent oversight and said it is an important part, but in terms of what it actually is, we had to do a lot of digging and research to find out what the evidence base was. In some ways we have then said this is what we think it looks like. We have had to make some calls on that, really, because there is not a definitive piece of paper that says this is what it is. So we have looked at all the evidence about different independent oversights and we have provided a definition in there about what actually meets the benchmark of independent statutory oversight, because that is important because it is on a bit of a continuum of independence. Some of the agencies that we have selected are more independent than others as well. We then took that evidence and those standards and said, "How do they apply to children and young people in terms of what we know?" Again, the royal commission that is going to report soon has been highlighting case after case of examples where agencies protected their own rather than intervene in situations or protected children. So the independence from that becomes critical. They are the sorts of definitions that we worked with around what actually works for children.

We then identified that the agencies that we have that fitted that criteria have a number of different functions and they were pretty much standard functions across independent oversight. Complaints handling was a clear one. Ombudsman services across the country provide independent complaints review, but there are limitations to that. Firstly, we know it does not work terribly well for children and young people; they struggle to raise complaints, and they always will, and without a lot of independent advocacy to support them, they do not do it generally. So relying on those mechanisms is not very effective for children and young people. Whilst we have said, "Yes, we have got those services", we know that that in itself is not enough, so we then looked at the other elements. Independent inquiries and reviews is an important one. The commissioner has got those functions. The Ombudsman can do own motion inquiries. The Auditor General can do reviews, but they are point in time and they are not exercised very frequently and, as Colin said, you often need to be resourced to do them specifically. For example, in the 10 years of our office, we have never done an independent inquiry. The Ombudsman, in terms of looking at child protection, may have done only one or two in the last 10 years. That detail is in the paper; it explains why we have said there is a weakness with that. When we have given that rating saying that there is a weakness in this particular area, it is because the function is not very robust in terms of oversight.

We have done all that background research to then develop this table and then we have applied it to agencies where we thought children were particularly vulnerable or they had a significant impact on the wellbeing of the child. For example, the Department of Education is a bit of an outlier in that mix of agencies that we have applied them to in that all children go to school, but what we have then done is looked at while there needs to be a level of general oversight of a school, which we might feel okay about, but the reality is that for children who are struggling and not doing well, it is a very significant impact on their life if they do not get a good education outcome. We have included that one because of the significance of the role that that agency plays in the lives of children and young people. Then we looked at where are the deficiencies around that and there were some very clear areas that stood out for us. The first was in preventive and systematic oversight—so, agencies that were not being reactive to either a complaint or a disruption or a critical incident that then sparked an investigation or an inquiry. Where there were regular inspections and visits, there were standards that were being monitored and things like that. There is a huge gap across the board for children and young people in that systematic level of oversight. We have some; the Inspector of Custodial Services is a very good example. They regularly have a program where they go in and visit facilities, they check in, and to some degree that is why we probably do not have a Don Dale situation

in Western Australia. I would say that plays a part in that. It does not allow cultures to grow and be abusive that we have seen, for example, in the Blaxell report situation. But it only applies to a very small number of children who are in detention facilities for youth justice issues. It does not apply to kids in mental health facilities, children in secure welfare centres or children in police custody, as you will see from the recommendation. We say that there are clear gaps where that does not apply at all; in fact, the inspector's role is very narrow.

The absence of advocacy services was very important. Again, the mental health advocacy service is a good model in terms of providing some advocacy. Again, it is to involuntary patients, so there are some gaps there, and it is only in the mental health area. We have got little pockets and bits of information about what is working and what is working well, but what we have done in this exercise is mapped and highlighted the gaps—so, preventive and systematic non-government and private service providers, because often they are not even covered by our basic complaint systems. The other gap has gone out of my head. Vulnerable groups of children is the other gap. There are particular groups of children where there is no oversight, children with disability in Disability Services—there is no external oversight of those agencies—and children in out-of-home care. Children in the education system where there are things like suspensions and expulsions have had a significant impact on their outcomes. There is no external oversight of the use of restraint and behavioural management techniques for particular groups of children within education. We have had some issues raised with us our office as there have been some very public cases where there have been children tied to chairs and put in rooms and that sort of thing and it is not routinely inspected by anybody outside the education system.

Mr PETTIT: Thanks, Trish. That led us to six recommendations —

The CHAIR: That was a great overview; thank you. It situates the significance of the work that you have done. It has been a huge gap in data collection and you have gone a long way towards filling it.

Mr PETTIT: Absolutely. The six recommendations on pages 4 and 5 are obviously more detailed throughout the report that supports them, but I just draw your attention to them. We actually met with Minister McGurk around the first recommendation, because we wanted to get moving on some of these. I am planning to meet with a range of ministers and directors general about how we might look at this into the future, because we, as an office, will be monitoring these reports from now on.

The CHAIR: Is this the area that you are tentatively flagging as a commissioner-initiated inquiry?

Mr PETTIT: Around the child protection?

The CHAIR: Yes.

Mr PETTIT: We are potentially looking at child protection around placement more than anything else and support of placement, particularly in family placement, but also around all the elements that are with that—so, early intervention, grandparenting care et cetera. We are still to finalise that and we are still in conversation with the minister on that proposal.

Ms HEATH: Can I just raise one point in relation to that because that actually raises a very pertinent issue in relation to how oversight is constructed for agencies? For example, in the child protection system, if you put in place an oversight agency that looked only at residential facilities, you would be looking at two per cent of children in care who are actually in residential facilities. The vast majority of them, we know, are in family-based arrangements but we actually know very little about what goes on in those placements; it is not monitored in any way. There are very deep degrees at which oversight needs to look and work and to be considered. If you put a tick in the box that says we have independent oversight, you very much need to drill down into who that actually covers.

[10.20 am]

The CHAIR: That leaves out 98 per cent or so.

Ms HEATH: What are the risks for those children? We do not know.

The CHAIR: You referred earlier in your evidence to an inquiry of that type costing about \$1 million.

Mr PETTIT: Yes.

The CHAIR: That is that sort of inquiry.

Mr PETTIT: That would be that inquiry. The reason for that is the growth in child protection numbers is somewhat of a concern. But, more importantly, with that growth, the use of family support and family care becomes crucial. We need to make sure that the placement of those young people into those locations, firstly, are supported, but they are still safe. We think having some form of inquiry into how that could play out would support governments into the future.

Hon DONNA FARAGHER: I am sorry I have not read the full report yet, and the answer may lie in here. I have a couple of questions around these recommendations. First, each of these areas are significant areas of responsibility—child protection, education, youth justice. In each of the recommendations, as I read it, you are looking at that you believe there should be independent oversight. That is pretty much all the major portfolio areas. Are you considering that the independent oversight should be one major oversight body or individual bodies for those individual areas, because it is quite large?

Mr PETTIT: It is; and it is a great question. It is one we have not turned our attention solely to. There could be a single body that could oversight that and it could fit within the commission's role, for example. But that would need a change in the legislation. Once you have the chance to read the document, this is about not saying that we have got it wrong; it is actually saying, "This is how we could improve." It would be incrementally changed through both legislation and also our support through resources.

Hon DONNA FARAGHER: How do you see that fitting in with non-government organisations and groups that provide, particularly in the area of individual advocacy? I would use that one as an example perhaps more so in terms of inspections and visits, which, from what I can see, there is obviously some improvement that is definitely required across a range of portfolios. But in terms of individual advocacy, I would suggest, looking at each of these, there may be some areas in which there is a greater level of individual advocacy that is provided by non-government organisations—others less so. How would you see it fitting in with the work that is currently being done by those groups?

Mr PETTIT: A lot of the non-governments do very strong work in supporting individuals but they are not often independent as deemed by this particular paper in the sense that they do not report to you through the Parliament. They do not have a watchdog approach, if you like. They do support independently some individuals on an advocacy basis, but in terms of the problems that arise from that, they are not collated and reported on. When you read the report, it is about how also do you report these issues so that we as a community are, firstly, confident that our children and young people are being looked after; and, secondly, as a government that spends money even in the not-for-profit area—spends quite a deal of money—making sure that that money is actually supporting the young people in the way it should be. It is not saying that they are not doing it; it is just that they are not necessarily doing it to the point at which they are reporting publicly back to you even though it is public funds in most cases.

Ms HEATH: Can I just add to that. That is covered in the paper. You are fine to not have read it in great detail at this point. I think it is important that they are not statutory. The other thing is that this is statutory oversight; it has a legislative base to exist and to provide a level of care. The reality

is that a lot of those non-government agencies and not-for-profits do very good work, but it is not a statutory role that they have.

Hon DONNA FARAGHER: I am trying to get perhaps a bit of a better understanding of what you would be proposing in and around the individual advocacy and reporting around that, because inspections and visits are reportable and should be reportable. If there is a gap there, it is important that that is looked at. But in terms of individual advocacy and independent oversight, how would you see—I know this is something that you are considering potentially in terms of the role for the commissioner, but I raise this in the context that it has been put that if you have an advocacy body, is it best that it is done through the non-government sector and giving them the resources to do that and making sure that there are obviously reporting mechanisms or whether it should be done by this big oversight body that might not necessarily, with all due respect, engender people to bring forward their concerns; whereas, they might more in an environment which is from that non-government side of things, which inevitably perhaps does not come across as much as a Big Brother? I will put it that way.

Mr PETTIT: As I said, there are range of models that have been thrown around. But going back to the Blaxell report, which this committee has really pushed hard, particularly around having a one-stop shop, it could be that although this is listed over six recommendations in six different areas, the advocate could be, in fact, over all those. We have certainly, as you know, put a model together for both the last government and this government on how to address the Blaxell recommendation around independent advocacy, which could pick up all these issues through a statutory body like mine. That would be in the vicinity of around \$2 million per annum. Although that would not be large, as you described, it could pick up a lot of the independent advocacies as long as it was well publicised, well understood and well controlled, so that both not-for-profit and government could contribute to it, but report it back through one statutory office.

Hon DONNA FARAGHER: I just raised it because, as you would appreciate, there is a diversity of views with respect to how best individual advocacy is undertaken. I do not have a particular view at this point in time.

Ms HEATH: I think that the core component of individual advocacy is that it has to be able to connect to the people it is advocating for, whatever the model is. I think we have been fairly vague in that because we know it needs a lot more discussion to work out where things get placed. We have made the recommendations in terms of each of the agencies. We tossed that around a lot, because we could have just talked about individual advocacy as a recommendation and then applied it, but we wanted to highlight the needs for specific areas particularly. We found it worked better in that regard. You could do them individually for each of those cohorts or you could do them as one big one. In terms of who provides it; whoever provides it, I think they need to have the capacity to connect to children and young people, which is where a lot of non-government agencies can be very effective. You need to have a relationship with them in terms of their work. For example, we met recently with Developmental Disability WA, I think they are called. They came and we talked about some cases and examples. You would have to have a very strong connection to those sorts of organisations to be able to connect with the children, but then you would also need to have a certain amount of legislative authority in order to follow-up and advocate on behalf of those issues as well. We would see that the strengths of individual advocacy needs to have a statutory base to it, but it also needs to connect and have some relationship; and if not, how formalised that would be needs to be worked out with people who can reach and connect, because it is a very big organisation that has to do that for all those children.

But we do have models like the Mental Health Advocacy Service that is an independent, centralised sort of service. It has its challenges in terms of how it connects to people and that capacity for children to be notified to that agency so they can go up and within 24 hours visit that child and have a chat to them about those situations. It might be that you need to have graduated levels of advocacy for different levels of risk, because the other thing is that it is a very expensive system. Personally, I would put the entire funds of the state into it, because my bag is protecting children, but, you know, obviously you have to be pragmatic about that as well in terms of the resourcing level that is available. We have to look very carefully at how we can best do that. But they are very important points, too. If it does not connect to children, it is not going to work.

[10.30 am]

Hon DONNA FARAGHER: As I say, there are a number of other parts to it. They do not necessarily involve the child per se. I think the individual advocacy is one where it is paramount. That is where I think there would need to be a good relationship with a variety of non-government organisations that do provide—you mentioned the Developmental Disability Council, which is one of those; Parkerville is another. There are a range of organisations, so it would have to have a good connection then so that we are getting the best outcome for the children involved.

Mr PETTIT: It is a great point and they are things that we have considered when talking to different groups about that. You are right; there are a range of models that people would like to bring forward to address this. The issue, though, that we all now face is not only the Don Dale report, the Blaxell report, this mapping gapping exercise, but also the future royal commission report the week after next, have all said the same thing. It is about how we as a community look at providing an advocacy service that is genuine to support the young person but gives confidence to the committee and also the government of the day that their investment is actually making a difference.

The CHAIR: Before Donna's questions, I think I waylaid you by going through each of the six recommendations. I invite you to return to that. Just before we do, let me put a proposition to all of us and you tell me whether I am reading this right. My understanding is that this report is an evaluation of statutory oversight provisions. Were those to be working better in all their individual components, the need for individual advocacy may diminish. The example that you gave me earlier in the hearing that has led me to that train of thought is that where you have OICS overseeing the juvenile detention system, you are less likely to have a Don Dale because the culture of the organisation is such that everybody knows that in the next five minutes, OICS might be ringing the doorbell.

Mr PETTIT: Yes, that is correct, providing OICS is funded sufficiently to do enough of the interventions.

The CHAIR: That is my point. If all these various components of statutory oversight were working better, including the resourcing, a situation like St Andrew's Hostel would be less likely to arise and we might be having a different discussion to the one we are having now. We have to be a little bit careful about not just bandaiding individual advocacy. Is that a fair summary? Can I invite you to return to the rest of the interventions?

Mr PETTIT: I think the previous conversation probably covered it. The six recommendations are fairly straightforward and they are, as I said before, more about supporting or strengthening the oversight groups that we currently have, but also making sure that the services are strengthened to benefit children and young people.

Unless there are issues around each recommendation, I will perhaps leave them sit, unless people wish to talk about individual ones.

The CHAIR: I will keep going for a moment and other committee members, please jump in when you are ready or if you see a need.

You start off talking about some key strengths, which sort of lifted all our hearts for a nanosecond. Are we reading the key strengths as the places for the three green ticks?

Mr PETTIT: Not only but that is certainly in terms of how we have assessed them. The key strength is the fact that we do have oversight committees in place and that those oversight committees are governed by legislation. The legislation, I think, is generally very clear. It is about making sure that there are no gaps, which is what this committee has asked us to look at. The gaps we have identified are things that we think could be improved, not only through legislation, as tabled yesterday around the child protection review of legislation there, but also around a different way of resourcing and thinking how we support young people into the future.

The CHAIR: Do you think that the reason why mental health comes out with more A-pluses than other agencies is because we have so recently reviewed the Mental Health Act? I probably should have made that a bit more of an open-ended question. Why does mental health score so relatively well?

Ms HEATH: The existence of the Mental Health Advocacy Service, because it has two levels; it does a visiting inspection kind of role and the individual advocacy role. I think your point that if we do other bits better, we will not need as much individual advocacy, is true, but each of those components also requires a bit of advocacy in them as well so your complaints models, if they are more proactive and more connecting to children and young people, they become almost advocacy services in themselves to some degree. That is where they build that capacity to connect with the child, understand the issues and help that child to bring them forward in the form of a complaints system. I think with mental health, particularly, there are a number of things. The role of the Office of the Chief Psychiatrist—again, where mental health falls down a little bit is that these things are not necessarily systematic, so he tends to have inquiry and investigation functions once a critical incident or an area of concern comes to light. That tends to be a trigger for a lot of things. But the Mental Health Advocacy Service is particularly strong in terms of its capacity to connect with people where they are. But it only applies in particular areas and to particular children—involuntary patients. So, there are some gaps there as well. That service, previously the Council of Official Visitors, has been around for some time but I think has come about from previous past inquiries into the treatment of people within mental health facilities but it also has a strong youth component. They have dedicated youth officers who are specialised in that area, so, again, it gets ticks for that. There are some generalised services that provide oversight but because they do not do a lot in terms of attending to children and young people specifically, we have rated them down a bit because it is a specialised skill set to be able to connect to children.

Hon DONNA FARAGHER: They also provide support and advocacy to those who are in the disability justice centre as well. They have specific oversight there.

Ms HEATH: Yes, they have some areas there.

The CHAIR: You talk specifically in the report, and you have referred to it in your evidence today, about a considerable amount of work needing to be done into exactly how you start filling these gaps or making these improvements. Who do you think will do that work?

Mr PETTIT: We have started conversations with the major oversight committees, including the Auditor General, OICS and also the Ombudsman, to have a conversation about how we can collectively, as the key oversight groups for children and young people in this state, progress some of this work. We continue to meet on a regular basis. Equally, as I said, a meeting with both the

ministers and directors general of each of the relevant recommendations, and we are having conversations with them. Further to that, we have actually indicated that we will come back on a regular basis and monitor any progress to date and report back on that.

The CHAIR: Is there any sort of gold standard in other jurisdictions in Australia?

Mr PETTIT: I think Western Australia should be really proud when you look at a number of other states. Yes, they all have similar or some of the elements that we have, but I think the oversight agencies that we do have here, by and large, do a very good job for the state. But this report is actually saying that if we want to make it even better, these are the things that need to happen.

The CHAIR: So you do not have a model somewhere else, either in Australia or overseas?

Ms HEATH: Like I said at the beginning, this is a lot of pioneering work bringing concepts together.

Mr PETTIT: At a meeting of the commissioners and guardians two weeks ago, they were extremely keen to get hold of this report so that they could use it back in their states to improve their work. We will be progressing that with them.

The CHAIR: You should be congratulated for that as well.

[10.40 am]

Mr PETTIT: It is your recommendation that we have done this work, so I think it is collective.

Mrs J.M.C. STOJKOVSKI: Just as an extension of that last line of questioning, in terms of the individual advocacy models, are there any that you would look to, as the chair said, as being the gold standard or something we should be aspiring to either within Australia or overseas?

Mr PETTIT: I think there are, as indicated earlier, a number of not-for-profit groups like Kids Helpline and beyondblue, and those have been terrific in various areas, but there is not an advocate for all children on all issues that we have been able to see. There are advocates in other states that have specific roles for child protection, for example, but not necessarily for other issues. So, there is nothing that we have looked at that would have that. England has a couple of not-for-profit organisations that are very good and I think Trish indicated that at the last meeting, but there is not anything that we can locate that says if we had one of those, that would be the answer.

Ms HEATH: As Colin said, I think there are a number of models that we looked at that do parts of it, but there is nothing that is comprehensive or well recognised, unfortunately.

The CHAIR: I think we could spend another three days just talking about this report, but we will go and read it and then we can have even more informed discussions with you. So, thank you for that. Now, you have just given us the youth justice position paper.

Mr PETTIT: Yes.

The CHAIR: Can we move to that even if what you are doing is just laying the groundwork for us to read it?

Mr PETTIT: This position paper was put together, as I said, by the commissioners and guardians across the nation. It was on the back of some work that our office had done for them in the past, so we were very keen to make sure that we also contributed to this. You can see that there are 13 recommendations. Most of them line up with work that is done either through OPCAT or through the Northern Territory report. So, in the sense of that, I am not sure where you would like to take this report. We are using it as a basis to have further conversations with the minister around how we can support him in this case to have a look at youth justice in this state.

The CHAIR: I mean, in a sense this report sits with one chapter in the oversight report, does it not?

Mr PETTIT: Yes.

The CHAIR: So are you going to produce this for each of the other portfolio areas? I have just filled up the ninth year, have I not!

Mr PETTIT: Yes, I think you have. The short answer is no, we had not anticipated to do that. The longer answer is that we are doing a lot of work in all of the areas, so the education report, for example, will contribute somewhat to that recommendation. The work we are doing around child protection will contribute to the recommendation on child protection. We are working with police and justice around how we can look at custody of young people and detention of young people and see whether we can improve the outcomes across the state, and we are also looking at how we monitor that into the future. I suppose the short answer is we are doing a lot of work to each one of those, but we are not anticipating to do a report necessarily on each recommendation.

The CHAIR: Yes. So this report is the Australian; this is your federated body, is it not?

Mr PETTIT: Yes.

The CHAIR: Is there a breakout in here of Western Australia or is this the national?

Mr PETTIT: This is the national compilation of information and what we have is our report, which we were hoping to get out this week but it will be next week now, which is an update of a paper that we did in around 2012 or 2010—something. It is quite dated now and we want to update it in relation to this, to Don Dale and to conversations that we have had with the current minister and the current directors general.

The CHAIR: So you have the Don Dale report sort of stirred into the mix of a WA-specific update?

Mr PETTIT: Yes, we have.

The CHAIR: That makes sense.

Ms HEATH: That is what has taken us just a little bit longer. We have been working on this paper with the ACCG for a while and it is very consistent with the approach that we have taken to youth justice over the years in terms of reflecting these positions, and then with the issues paper, we were waiting on the Northern Territory recommendations—as you are probably aware, there are hundreds of recommendations in that report—to go through and say, “Which ones of these are applicable in the WA context that we want to progress?” That is going to take us a little while, but then that issues paper will be re-put for Western Australia.

The CHAIR: Have you been able to get any specific response to your reaction to the Auditor General’s 1 November report, “Diverting Young People Away From Court”? I think you publicly said that urgent action was needed.

Mr PETTIT: Yes, and we still hold that view. I have certainly sought meetings with the director general of corrections and the minister and they are in play to follow through on that.

The CHAIR: Of course, that department is in the process of shifting that over to Communities. I think you referred earlier to the fact that you are meeting Grahame Searle in December.

Mr PETTIT: I am.

The CHAIR: Presumably that is on the agenda.

Mr PETTIT: It is on the agenda.

The CHAIR: It will be interesting to hear your reactions to how that is progressing.

Mr PETTIT: I think there is an appetite to look at diversion and use that report as an opportunity to do things differently for young people.

The CHAIR: Have you had any feedback about how the review of the Young Offenders Act is going, because you made a submission to it, did you not?

Mr PETTIT: Yes, we have. We have had no feedback.

The CHAIR: I will just move on to the child protection case practice benchmark project, if I could. I have some specific questions here. In your annual report, you talk about developing a national approach to evidence-based practice in child protection work. Can you give us a bit of background to that?

Mr PETTIT: Certainly. One of the issues that came to us at the beginning of the year was that the department was looking at reviewing its current practice, particularly around Signs of Safety, and that interested us in terms of seeing whether, in fact, there was a national benchmark that could be used to ensure that children, regardless of where they are placed across the nation, were supported, were safe and were within the best place they could be in this particular area. So we had conversations at the national level and we have now led a report through the ACCP, which is the Australian Centre for Child Protection attached to the University of South Australia. Professors Bromfield and Arney are leading that on our behalf, doing a two-stage report. The first report is around analysing the current off-the-shelf programs that all the states are using. They have looked at eight different programs from across the nation and they have also looked at seven international programs, and they have analysed each one of them and all of them have a number of flaws. That was the initial response and that report we are hoping to receive early next year around the February–March time period. I have talked to Minister McGurk about the second stage, which is really about where we think, as a national body of ministers, there should be some work picking up this first stage of ours and then looking at how do we develop something that all states could use as a benchmark tool around practice to make sure that we are consistent across the nation but, equally, is as high a standard as we can possibly give, given that the growth in child protection is not just peculiar to Western Australia. Minister McGurk is keen to progress that and I am in the process of writing to Minister Porter, who has the finance control in that particular area, to look at what they call the fourth action plan and contribute to the fourth action plan around child protection using this model.

So, that report, we think, is fairly instrumental. We have had a pre-briefing on it from Leah Bromfield only about two weeks ago. It certainly showed up a range of weaknesses around staff training and around evidence-based information that supports the program. Most of the programs are actually evaluated by the people who design them, so, of course, you get a skewed view of the world. That is not to say it is wrong; you just get a particular view of the world. Certainly, the lack of ongoing training becomes a real problem for practitioners where many of the programs are one day, three-day, two-week up-front programs and then off you go and do the work. There is no touch base to see whether you are doing it the way you should be, what have you learnt, and how can you improve. There are a range of things like that we think can be built in to a benchmark, not to change programs in each state, because that would be really expensive, but to start to measure the practice of practitioners in particular and supporting them to develop the program—whatever the program is.

[10.50 am]

The CHAIR: We are not the only state that uses Signs of Safety, are we?

Mr PETTIT: No, Queensland use a version of Signs of Safety, as does Tasmania, so there are a couple of other states. But there are a number of states that use a range of different variances of Signs of Safety. What we are finding is that very few of them—none of them actually—have a consistent level of credibility that could be used across all of Australia.

The CHAIR: Is Professor Bromfield's evaluation the first external evaluation that has been done?

Mr PETTIT: Yes.

The CHAIR: Is it specifically on Signs of Safety or is it the child protection framework nationally?

Mr PETTIT: My apologies, it is across the work nationally. So, as I said, it is about the eight programs that they have sourced nationally and the seven that have been sourced from across the globe. We are hopeful to have Leah come and do a presentation to us in WA in May, and if there is an opportunity for her to come and present to the committee, we will certainly get in touch with you.

The CHAIR: Yes, that would be very valuable, I think.

Mr PETTIT: Certainty, we have offered the same with Minister McGurk and will do the same with others.

Ms HEATH: Can I just add to that that Signs of Safety was evaluated by the Australian Centre for Child Protection. They did do it on contract by the Western Australian department, but I understand that report has not been released.

The CHAIR: Okay, that was the one we were aware of. So this sits above that, does it? This is an entirely separate thing looking at all —

Ms HEATH: Yes, this is looking at all the different frameworks that we use to say, "Where are the flaws?" or, "Has anybody got the gold standard that we should be looking at?" Ideally, that is what we would love to find.

The CHAIR: Just recognising that we are on the public record, can you give us any idea of why Signs of Safety was only ever evaluated by the people who designed it?

Mr PETTIT: I need to correct that, and Trish is right; the ACCP did do an external evaluation on behalf of Child Protection.

The CHAIR: But it was not made public.

Mr PETTIT: We have not seen that report as yet. It was the previous director general who had it, so I am not sure where that ended up. But in terms of the evidence that Leah has provided, for the most part very little external evidence is available on any of the programs.

The CHAIR: Has she found anything that warrants early change, using the mechanism that drug trials find—that is, if they are actually doing harm, they intervene and change the system?

Mr PETTIT: It certainly identified the training component for each one of the packages they looked at. It is something that needs to be rethought really quickly and could be done very quickly.

The CHAIR: And you have made the minister aware of that?

Mr PETTIT: Yes.

The CHAIR: Thank you.

Ms HEATH: Just to clarify as well on that, this review of the programs and frameworks that are being used is not looking at the actual implementation of them on the ground; it is only looking at what training is provided to staff to support the use of that, what evaluation has been done. So it is looking externally at those frameworks, not doing an in-depth review of their actual application.

The CHAIR: So it is not looking at application or outcome?

Ms HEATH: No; it is just asking the questions about what is put in place, what are the core principles of the framework, what are the foundational bases for it—the rationale for using this thing—what evidence goes to support whether it works or is evaluated, what staff training is put in place to assist

and support, or what prerequisite training do people implementing this program require. So, it is looking at it to establish what are the core principles that we should have in a benchmarking tool. It is just reviewing the current frameworks. It is not actually looking at their application on the ground and how successful they have been. The Signs of Safety evaluation that the centre did for the department did do that, but, as we have said, that report has not been released.

The CHAIR: When was that done?

Mr PETTIT: Over 12 months ago.

Ms HEATH: Yes, it has been around for a while.

The CHAIR: Is there anything else that we have covered so far? Can we do another five minutes?

Mr PETTIT: In your hands!

The CHAIR: Just a couple of questions about the royal commission report, which we are expecting in the next couple of weeks. Have you done some preliminary work into what your expectations are of that report and whether your workload is going to change, increase or decrease after the report comes down?

Mr PETTIT: A decrease would be nice!

The CHAIR: Hansard does not note wry smiles!

Mr PETTIT: Like all of us, we have seen most of the work the royal commissions handed down. It is quite complex and quite detailed, so will take some time to work through. However, we have been, on behalf of the government and also the state, looking at a range of issues, particularly child safe organisations and I am pleased to say that we have had our 500th person come through that program only recently, which represents a bit over 200 organisations across the state around child safe organisations. We know there will be a strong recommendation from the commission around making sure that every place where a child is at, every organisation, has a culture of child safety, so we have been working very hard to do that. We have a range of resources that are free on our website and we have worked with, as I said, a range of agencies. We have also worked with the bigger agencies like Education to say, "How can we support the work you are already doing to work in this space?" So that is one bit of work.

The other bit of work that has come out of both the royal commission and also some feedback to us is a bit of work around harmful sexual behaviours. This is particularly child-on-child abuse. We are having evidence of that escalating throughout the community, so what we have done is, working with a range of agencies, looking at harmful sexual behaviours and how that can be addressed, both at an individual level in schooling, for example, or in clubs et cetera, and supporting both the victim and perpetrator in making sure that there is support right the way round, including for their parents. In that we have been working with, again, the Australian Centre for Child Protection and, again, with Leah Bromfield, who has also been a part of the royal commission, to develop a continuum of evidence of informed interventions to guide service development delivery that are appropriate for age, development and behaviour of children and young people. We are hoping that that report will be out very soon.

The CHAIR: So, that will be a commissioner's report, one of your reports?

Mr PETTIT: It will be one of our reports, yes, that we are hoping to do.

Ms HEATH: Very soon, as in March next year.

Mr PETTIT: Yes, very soon. Soon is March; it comes around very quickly! We are also looking at a similar mapping and gapping exercise, but mapping services available to victims of sexual abuse and

children who display harmful sexual behaviours, so that there is a library of places that can support people. We are also developing resources appropriate for parents and caregivers, and also professionals, to assist in responding effectively to situations in which harmful sexual behaviours are evident. We are doing a fair bit of work in that space within the resources we have available. We have a small resource that is within our budget to react and respond to the royal commissions. We are waiting for the second one to hand down to see what work that will entail. However, that has been tied up with a submission that we put to the midyear budget review in which we are looking for funding to do the student survey for years 3 to 12—again, that is still being decided—as a model that we can send back to government to say that this is the data that could be achieved if we did a survey through our office on a regular basis. That will help inform decision-makers.

The CHAIR: We understand that child-on-child sexual abuse was a major factor in Roebourne. When you were there, did you hear things that you have not heard before? Do you collect evidence, even if it is anecdotal evidence, that guides that kind of work? In other words, how closely connected with what is actually happening in some of these very problematic communities is that kind of research work?

Mr PETTIT: We have not taken on that role at the moment, although we have discussed doing something like that. The reason we have not done that at the moment is that there are so many agencies and activities happening in Roebourne at the moment that we would just become another one. But we have offered that we would go up and support both the Roebourne community and Roebourne school when they require it, and we have left that open offer. That would look at things like consulting young people and how we could support them. Given the amount of energy and activity that is happening in the town, we would just be another group, and we are mindful that we need to support them, not overrun them with another agency.

[11.00 am]

The CHAIR: I have just got a very quick question about the child safe organisations and then there is something we would like to finish with by way of winding up. When you were talking about the oversight report, you talked about agencies investigating themselves, which I understand has two components: one is having internal investigators and the other aspect would be self-reporting. With the child safe program that you are rolling out, how do you ensure that those mechanisms are robust, because many of them do involve self-reporting, do they not?

Ms HEATH: When we designed this, we knew we did not have the resources to monitor the implementation of the principles and practices, and that may be something that comes out of the royal commission. We fully expect them to recommend some legislative form of child safe standards in organisations.

The CHAIR: Because many of those organisations thought they were child safe, did they not?

Ms HEATH: Absolutely, and in fact reported on it and had many of the policies and procedures in place, but actually they were not being applied on the ground. I guess the whole thrust of the child safe organisation is about aiming at cultural change in organisations. The best way you can do that is by building it from within in a voluntary, committed capacity rather than putting in place compliance activities that then simply become compliance activities and, again, do not necessarily contribute to increasing the safety of children within those organisations. At the moment, it is a self-report; it is a voluntary program. We do not have the resources to monitor it any way, other than asking people after the event to provide us some feedback on what they have changed and what they have done. Again, it is all self-reported; we do not have any checking of that. But maybe out of the royal commission, I think it will then be up to both the federal and the state government to make some decisions about what level of monitoring of that they want to apply and who should do

that and how best to do it, because it is quite tricky to not just have check box compliance-type activities, and it does link very strongly to the oversight mapping in terms of those types of mechanisms that you can use to oversight practice. But there has to be some level of investigation to evidence whether it was actually being applied consistently. That is quite a big job when you think of the number of organisations you are trying to do. I know in South Australia they have had a legislated scheme for many years but it has been a very superficial monitoring: you provide the evidence to the government that you have applied it and there is no checking of it. It has been very light on.

Mr PETTIT: In fact, South Australia have built it into their tender process that you have to provide a document of being child safe and sign it off, but it does not actually have anyone go and check it.

The CHAIR: I guess that we will all keep our fingers crossed that we can be, I think, quite happy with the amount of work you have done to position the state to be prepared for what is likely to come out in the middle of December and respond to it in a timely fashion.

We just wanted to raise with you, commissioner, some evidence from Grahame Searle. You have probably had a look at his evidence, and you can probably guess the part of it that rang our alarm bells. He talked about the way government services are delivered and the fragmentation of these services, and the net effect of that is relatively disastrous in terms of systems that you would regard as highly reliable. He talked about trying to map all the government contracts in the Kimberley and the Pilbara, both state and commonwealth. You would think that a Google search would turn them up, would you not? That was me; not the quote from Grahame. He said —

It took us 18 months and we could not map the extent of the very many contracts at all because the data just does not exist.

He goes to talk about the fact that the KPIs around delivery and customer satisfaction were totally missing, certainly from all the private sector contracts, and how we have successfully established a system that has promoted expertise in tendering and a huge lack of quality in service delivery. I am sure it rang your alarm bells as well when you saw that. That is something I think the committee will be interested in following up. I just wanted to make sure that you were aware of that part of Mr Searle's evidence.

Mr PETTIT: Thanks, chair. I was aware of it and I do agree with him. I think the federal-state relations that we talked about for a long, long time need to be improved in terms of what outcomes do we want for our people collectively, rather than have two sets of data that do not necessarily talk to each other.

The CHAIR: Yes, he went into some detail about data collection and the fact that he has only one agency in that vast panoply of agencies that has any kind of mobile computing capacity to collect data. Yes, it was a pretty bleak picture that he gave us; it was very disturbing. As I said, that may well be something we take up with you as we go into next year to see your reaction to that sort of thing.

Mr PETTIT: Yes. That would be great.

The CHAIR: Thank you for giving us so much time. We really appreciate that. It has been very productive from our point of view.

Mr PETTIT: Thank you. We did not get through much of the whole agenda that you would like to, so I am more than happy to meet, as I said, informally if there are issues that you would like to talk about.

The CHAIR: Okay. That is very generous of you.

Mr PETTIT: I will just finish with a couple of things. We are releasing the education report on school and learning. We will be placing it to Parliament on 29 January and also releasing it on 30 January next year. I am seeking meetings with both the minister and the shadow Minister for Education and Training and am waiting to get back for that. I am sure we will get that pretty soon to have a conversation.

Hon DONNA FARAGHER: I do not recall the invite has come through, but it will be great to be received.

Mr PETTIT: I am sure it will be. It is just so that there are no surprises and you are well versed as to what is happening. We will make sure that we get you a forward copy as well.

The CHAIR: Commissioner, before you go, were you intending to present us with some information on the draft wellbeing report?

Mr PETTIT: I am happy to do that. It will probably take another 10 minutes, if that is okay?

The CHAIR: Yes. We have skipped over that; I am sorry about that.

Mr PETTIT: I am happy to do that. We have another handout that Trish will give you. We will whiz through it.

Ms HEATH: These are concept documents, so they are really for you to be thinking about and considering and hopefully helping you to understand the work that we are doing. We will be able to talk more in future sessions about the development.

Mr PETTIT: To give you a quick rundown, if we go left to right, this is what the profile of children and young people would look like. This is the draft and it would have a lot of demographic information that covers things such as how many children are in the state et cetera. It goes into other areas such as education, care and home and finishes with vulnerable children. That is a profile document. We know that a lot of people use this information for their reports and so forth and that one will be updated on a regular basis. That sits at the front, if you like, of our wellbeing monitoring framework.

The second one is the indicators of wellbeing. You may recall that at the previous meeting, I said that we have decided that there are three elements that every child needs to work together to make sure their growth and happiness occurs in a way that we want, and those three areas are indicated in the second box in the middle around learning and participation—they are not hierarchical—around being healthy and connected and around being safe and supported. If you think about all the services that we have for children and young people, they fit into one of those three, if not a couple of those three, and if they are all working together, we know that children generally grow very happily in our state. But when they do not and one bit of it breaks down, or more than one bit breaks down, then we do have some problems, and that is what we want to monitor. So the second one is about monitoring really closely with the help of the Telethon Kids Institute and others around indicators that we think are really important.

[11.10 am]

I turn to page 3. There is a document on pages 1 and 2 that will give you an indication of what it is about. You will see that we have broken it down into three year groups. There is the nought to five, six to 11 and 12 to 18. That wraps into their schooling life as much as anything else. This is a sample from 12 to 18. As it says at the bottom, it is a concept only and some of the data is not correct. We just wanted to give you a model to say that this is what it would look like. You will see that we wanted to report fairly much annually in each of those three year levels—zero to five, six to 11 and 12 to 18. On the indicators that we have here—under learning, health and safety—there are three or four indicators that we have identified with the help of the Telethon Kids Institute. Then we will

give a green light, red light-type of approach. But because we do not have some data on some, we will have baseline data as a starting point for some of this information. We also wanted to make sure that we heard the voices particularly of children who are vulnerable, who keep saying, "Don't keep painting us in a bad light." For example, Closing the Gap for Aboriginal children often paints the wrong picture. There is a lot of progress being made, but it is not identified because the gap has not changed, but there is progress. We wanted to make sure we report both. There will be some highlights around what progress has been made et cetera.

I turn to pages 4 and 5. I will not go into too much more detail on this. You can see the domain at the top. This is 12 to 18 years old and it gets into far more detail. We start looking at information that we gathered from Telethon Kids and a whole range of other data sources available to us. If you move through that document, you will see that there is one on attendance and liking school indicators et cetera. We plan to make sure that this is as interactive as possible. Because of a lack of resource for the moment, this will be a fairly static document on our website. But as we get more money, we are planning to look at making sure that you can hover over this and it will go to more data as you need it. It is interactive, if you like, and you search the information that you want.

Ms HEATH: You can see, as Colin has walked you through that, that each level drills down further in the data, so you get the snapshot, you get a little bit more information and then you get actually quite detailed information from a range of research and data sources and that is then how we have actually arrived at those summary conclusions at the front. If you have a particular area, hopefully on the computer you will be able to quite quickly move through it, but in a paper-based document it is actually quite clunky, and we understand that. We just wanted to be able to show you how we see it working. Then we have data for every one of those areas in each of the age ranges. The nought to five has a bunch of data that sits behind it. That is where we are looking at some antenatal data, for example, because we know that that is important. As Colin said, Telethon Kids has helped us work out what are those critical things that we should be looking at.

Mr PETTIT: If I take you back to the wellbeing monitoring framework document—the one with the three columns—at the bottom of the middle column we talk about a survey of children. That is the survey we talked about that was similar to the one that New Zealand has done and we have put in a midyear budget bid of around about a quarter of a million dollars to, as I said before, do a pilot study on this. We have been supported in principle by Treasury to put that in, so we are hopeful that we will know fairly soon. That information will support a lot of the indicators and we will be able to demonstrate to government by doing this every two to three years and doing it thoroughly that we will get richer data that will support all of the stuff that government does elsewhere.

The third element—then I will finish—is around policy strategy. You will see at the bottom it is called conceptual at the moment. We are taking very seriously the fact that, as an organisation that is now 10, we made a number of recommendations. We do not often, or always, follow up our recommendations; we try to, but do not always. We think that there are other significant recommendations made by the Ombudsman and the Auditor General et cetera in relation to children and young people that need to be monitored. We are going to trawl through those and have a look at what are the recommendations and then ask agencies where they are at with this, and then report publicly on it. It may be that the government of the day decided that it would not accept that recommendation, so it would be taken off. But it is more about being honest to the reports—some of them that we have seen today—saying that if it was important to do, how do we then monitor it and keep it in the frame in a way that is meaningful and supportive rather than judgemental? That is the third element of our monitoring framework and hopefully you can see how that fits with the next bit you have got, which then fits with the monitoring. Then we hope to have that online and this will be updated on a point in time, so as information comes in, it continually

updates. Then hopefully people can use it as they need to, as opposed to having one large book that they have to trawl through to find the information they want.

The CHAIR: And that goes out of date within a matter of months.

Mr PETTIT: It goes out of date very quickly.

Ms HEATH: I think, crudely put, those three steps are: who are the children and young people in Western Australia; how well are they doing; and then what are we doing about it in terms of fixing up the problem areas?

The CHAIR: So the time sequence of this, the blue column is done, the red column is going to be released—that was the March —

Mr PETTIT: We are hopeful, yes.

The CHAIR: And you are working on a framework for the third column?

Mr PETTIT: Yes.

The CHAIR: Is this document you have given us this still confidential?

Mr PETTIT: It is more of a concept model. We did not want it reproduced everywhere. Once we get the final version, I am more than happy to send it to you.

The CHAIR: But this should be just regarded as an internal working document?

Ms HEATH: There is nothing in there that is confidential as such—it is all public data—but it is not complete and we do not want people to think that that has all been properly written and is complete; it is not. It is just to show you what it will look like.

The CHAIR: Yes. Some of those concepts that Steve Zubrick ran us through, like moving away from attendance to engagement, you are building all that into this new model.

Mr PETTIT: Yes. Steve has been central in helping us develop this. That is why we are really keen to have things like the student survey, because it will add a richness that we do not have in terms of other data from other agencies. It is all important data, but it is about triangulating from this is what agencies do and have collected, but this is what children and young people see and experience, and so trying to tie that together and reporting that back in a way that is meaningful and supportive for agencies.

The CHAIR: Do you think there is change filtering up through the system as a result of what you are doing about the way agencies are collecting the data?

Mr PETTIT: There are certainly the conversations across the government around collecting data and making sure that it is meaningful. I think that has been a really positive thing. We are yet to see the outcome of that, because it is early days. This is, I think, a very positive step forward and that is why Treasury supported it in principle, because they could see it tied in with where the government wanted to go.

The CHAIR: Thank you very much. I will now make the formal closing statement. Thank you very much for coming in today and presenting your evidence to the committee. A transcript of this hearing will be forwarded to you for correction of minor errors. Any corrections must be made and the transcript returned within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary document for the committee's consideration when you return your corrected transcript of evidence.

I think that certainly individual members of the committee will take you up on your invitation to engage with you formally and informally, but I think we might have a chat now about how we can keep ourselves up to date with what you are doing, because it is very, very interesting.

Mr PETTIT: Thanks very much.

Hearing concluded at 11.18 am
