

Division 51: Commissioner for Children and Young People, \$2 873 000 —

Ms W.M. Duncan, Chairman.

Dr K.D. Hames, Minister for Health representing the Attorney General.

Ms M.S. Scott, Commissioner for Children and Young People.

[Witness introduced.]

The CHAIRMAN: Member for Maylands.

Ms L.L. BAKER: I refer to the spending changes listed on page 621 of the *Budget Statements*. Would the minister please provide detail on what positions were involved in the figure of \$225 000 alongside the line item “2012–13 Reduction in Full Time Equivalent Ceiling”?

Ms M.S. Scott: Last year I had funding for about 18 FTEs. Throughout the year I managed my budget within 16 FTEs. The \$225 000 reflects a reduction of approximately two full-time positions. Those positions were vacant at the time.

Ms L.L. BAKER: Will the number of FTEs that enabled the office of the commissioner to meet that \$225 000 reduction in salaries continue? Does it appear that those positions will remain unfilled?

Dr K.D. HAMES: We have had this in other divisions. Those people who were unfortunate enough at the time not to use their full complement of FTEs had that money “harvested”—I think that is the word the Treasurer used. That \$225 000 was removed from the base budget because clearly at the time they were not required or were not being used.

Ms L.L. BAKER: I refer to the “Public Sector Workforce Reform” line item on page 621. It shows a cut of nearly \$300 000 for two years, and increasing public sector reform costs towards the out years. We will look at the 2013–14 budget, because that seems to be all the government wants to defend at the moment. Could the minister highlight which programs that affects and how that impacts on an agency that is already down two FTEs from a fairly modest size in the first place? On the next page, under “Significant Issues Impacting the Agency”, it states —

Western Australia’s population growth and the increased number of births, up 34% ... is increasing demand on services and programs that enhance the wellbeing of children ...

Could the minister explain how, by not filling two positions and cutting the budget by nearly \$300 000, the government is able to meet the challenges faced by an increasing number of children in the community?

Ms M.S. Scott: To be absolutely clear, the two FTEs that the funding was not allocated for in 2012–13 basically continues in 2013–14. The office has not been subject to any further reductions and I have not had to reduce any programs.

Ms L.L. BAKER: Could the minister explain what the amount for public sector workforce reform covers? What things will not be done because that money will come out? It would be fairly ridiculous to assume that nearly \$300 000 was sitting in a cupboard somewhere, never to be used. The agency not having \$300 000 must impact on something. Can I have a detailed description of what that will be?

Ms M.S. Scott: As the member is aware, I have a wide range of statutory functions, which are broadly set out in section 19 of the act. It obviously impacts our capacity in terms of our total output, our capacity to advocate for children and young people and our capacity to provide advice. The situation in 2013–14 is no different from that in 2012–13.

Ms L.L. BAKER: Looking at the outcomes and key effectiveness indicators relating to the same issue —

Dr K.D. HAMES: Which page?

Ms L.L. BAKER: I am at the very top of page 623. It is a continuation of the same question. The circumstances are explained in the notes that appear below that table, but they are not explained in a way that I can understand in the second of those two points, which states —

The extent to which issues impacting upon children and young people are identified through consultation and research.

That is probably better explained in the notes. I am happy to read them if the minister has not read them. It seems that the number is halved in that top point; it comes down from 43 to 25 in the years 2012–13 and 2013–14. The number is fairly modest. After getting off to a cracking start with 43, it has dropped down to only 25 consultations this year, and 25 is forecast next year. I refer to the number 228. The notes refer to the thinker-in-

residence program as a driver of that high number. Ninety is still a significant drop from what appeared to be a very good year in 2011–12. Given that the number of children with issues is increasing, and given the incredible work the commissioner has contributed around juvenile justice in this state, how can the commissioner possibly see the drop in consultations and research meeting the agency's outcomes and key effectiveness indicators?

Dr K.D. HAMES: That was a long question!

Ms M.S. Scott: I think I have understood it! It is true to say that the output will vary each year, whether it is consultations with children and young people or representations undertaken in relation to them. The 2011–12 year was an exceptional year in terms of the nature of the consultations we did, which meant we had a very high number. Given the resources of my office, the expectation would be about 25 consultations. I think that is reasonable, given the resources. We did have an extraordinary year because of particular circumstances. That also impacts on the number of representations, which was 228. Some members may be aware that I have initiated a thinker-in-residence program. That is an annual event. However, in 2011–12 we actually had two thinkers in residence, and that accounts for the significantly high number of consultations and representations.

[4.40 pm]

Mr P. PAPALIA: I refer to the extent to which children and young people in various regions have been consulted and the extent to which issues impacting children and young people were identified through consultation and research. Noting that 2011–12, as the commissioner just indicated, was an exceptional year, to what extent have the events at Banksia Hill Detention Centre in January impacted on the workload of the commissioner and the commission? How much future impact is predicted based on the fact that the juveniles concerned are still housed in an adult prison and that there appears to be no end in sight to their incarceration?

Ms M.S. Scott: It is true to say that each year we do forward planning for projects, consultation and research that I initiate. Each year an event comes along to which we must respond, and the Banksia Hill incident is one of those. It has been a significant priority for me since 20 January. Juvenile justice has also been a significant priority since I was first appointed commissioner.

Mr P. PAPALIA: I refer to the estimated actual figure of 19 consultations. Does that include any consultations that have taken place this year with juveniles at Hakea Prison and Banksia Hill?

Ms M.S. Scott: It does not include that specific consultation. I have been to Hakea and Banksia Hill, but it does not include those. The actual figure for 2012–13 is 23. At the time the budget papers were prepared, it was 19.

Mr P. PAPALIA: Would a visit to Hakea, for instance, and consultations with numbers of individuals be counted as one consultation or are they individually counted? I understand that four consultations were not included in this figure. Does that mean the commissioner went to Hakea four times or went once and met with four individuals?

Ms M.S. Scott: Consultation has a particular meaning. It does not mean just visiting the places where children and young people are. It means actually talking to them in depth about a particular matter. I refer the member to the figure of 137, which includes my representations to agencies, the Inspector of Custodial Services and the Commissioner of Corrective Services about the Banksia Hill incident and juvenile justice generally. It would show up there rather than in the consultations.

Mr P. PAPALIA: Is it fair to say that the budget target of 90 consultations for the current financial year is likely to be exceeded because of the extended circumstances of juveniles at Hakea and the Banksia Hill challenge?

Ms M.S. Scott: I cannot comment on that at this point in time.

Mr J.R. QUIGLEY: The third dot point on page 622 of the *Budget Statements* refers to targeting additional programs required to assist Indigenous children and young people in regional areas. Can the commissioner briefly describe those programs and how the tightening budgeting circumstances in which the agency finds itself have impacted on those programs?

Ms M.S. Scott: I can answer the first part. Aboriginal children in Western Australia require a wide range of programs. In 2012, I tabled two reports in the Western Australian Parliament. The first was about the state of Western Australia's children and young people across eight wellbeing domains and it included 33 specific measures. It told us how children are faring in this state, and how many of the indicators showed—in fact, almost all of them—that Aboriginal children and young people were behind those of their non-Aboriginal counterparts. I also tabled a report that identified 82 best-practice programs that have proven to be effective in addressing the areas of disadvantage.

Mr P. PAPALIA: The last dot point on page 622 refers to the mental health needs of children and young people. In advance, I advise that I am not absolutely familiar with the report of the inquiry to which the dot point refers.

Did the inquiry assess the contribution to the mental health of young people made by the Mental Health Law Centre of WA; and, if so, is there likely to be a loss of service as a consequence of the cut in the budget to the Mental Health Law Centre?

Ms M.S. Scott: In 2010–11, I undertook my first independent inquiry as commissioner. I did that because as I travelled around the state, many people raised concerns about the mental health and wellbeing of children and young people. That inquiry received 141 submissions. In addition to evaluating all the best available research, I had an expert reference group assist me with the inquiry. I also heard the views of 700 children and young people separate to the 141 submissions. The inquiry made 54 specific recommendations. I will characterise those recommendations in a general sense. They were about the need to give great priority to the mental health and wellbeing of children and young people from conception onwards. That is the nature of the recommendations.

Mr P. PAPALIA: The Mental Health Law Centre provides free legal advice and representation to involuntary patients; this includes young people. It has had its budget cut. Has the commissioner in the course of the inquiry met with its representatives or seen what it does?

Ms M.S. Scott: I am aware of its work and I have met with its representatives in relation to children and young people. I am not able to comment more. My inquiry did not consider the issue the member has raised.

Ms L.L. BAKER: The government is obviously very keen on the review process, because it has announced a review of the Equal Opportunity Commission, and the Office of the Commissioner for Children and Young People has been under review for several months, if not most of this year. I refer to the government goal of the commissioner —

The CHAIRMAN: Does the member for Maylands have an item number?

Ms L.L. BAKER: Yes. Page 622 refers to the government's goal. Can the minister tell me where the review is at, and when we are likely to see some sort of outcome? I understand that the Public Service Commission conducted the review, not the minister. It would be nice to know what is happening. Contingent on the answer, I will take up another issue about the review team.

Dr K.D. HAMES: I am advised that the report is with the Attorney General.

Ms L.L. BAKER: That is the simple answer. My concern about the budget status of the Office of Children and Young People relates to what happens as an outcome of that review. Potentially, the commissioner may be asked to take up new functions as a result of the Blaxell inquiry and other changes.

The CHAIRMAN: Order, members! Conversations make it difficult for Hansard. Please be quiet while the member for Maylands is speaking.

[4.50 pm]

Ms L.L. BAKER: More specifically, I understand that the commissioner has been on an extended contract for 12 months and that her position is pretty close to needing to be renewed or advertised or whatever. I think that all bears very badly on the stability and long-term commitment of employees in an agency that is under that kind of question mark. My concern is about the delays in this matter. Can the minister tell me anything that would give me some certainty that this office will have some security?

Dr K.D. HAMES: I understand the member's concern; she has expressed that well. But the reality is that a review is being done; it is now with the Attorney General, and until a decision is made on that matter, there are no outcomes and there are no consequences. There is nothing that can be done until that review has been determined.

The appropriation was recommended.