

Division 8: Commissioner for Children and Young People —

Ms M.M. Quirk, Chair.

Mr J.R. Quigley, Attorney General.

Ms. J. McGowan-Jones, Commissioner.

Ms D. Fitzgerald, Director.

Mr. R. Montilva, Chief Financial Operator.

Mr J. Lee, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIR: The estimates committees will be reported by Hansard and the daily proof will be available online as soon as possible within two business days. I will allow as many questions as possible. Questions and answers should be short and to the point. Consideration is restricted to items for which a vote of money is proposed in the consolidated account. Questions must relate to a page number, item or amount related to the current division, and members should preface their questions with these details. Some divisions are the responsibility of more than one minister. Ministers shall be examined only in relation to their portfolio responsibilities.

A minister may agree to provide supplementary information to the committee. I will ask the minister to clearly indicate what information they agree to provide and will then allocate a reference number. Supplementary information should be provided to the principal clerk by noon on Friday, 31 May 2024.

If a minister suggests that a matter be put on notice, members should use the online questions on notice system to submit their questions.

I give the call to the member for Vasse.

Ms L. METTAM: I refer to page 104, and note that all 17 FTE positions within the commissioner's office have since been filled. How many are senior staff?

Mr J.R. QUIGLEY: Five.

[5.40 pm]

Ms L. METTAM: I will move to page 106. I refer to the advocacy work of the Commissioner for Children and Young People and the media statement of 22 February 2024 titled —

Australian and New Zealand Children's Commissioners, Guardians and Advocates have long called for an end to the harmful practice —

The CHAIR: Sorry, where is that on page 106?

Ms L. METTAM: I refer to the heading "Explanation of Significant Movements".

The CHAIR: Paragraph 1 or 2?

Ms L. METTAM: I refer to paragraph 2 that states "Additional resourcing has been internally reallocated to representations —

The CHAIR: Okay. Can we have the question?

Ms L. METTAM: I refer also to the media statement of 22 February. What measures of success has the commissioner had in advocating for the nationally consistent definition of isolation and associated counting rules for periods of isolation experienced by detained children and young people to enable nationally consistent recording, monitoring and reporting?

The CHAIR: Can you be succinct, please?

Ms L. METTAM: I know it is a long question.

Mr J.R. QUIGLEY: I defer to the commissioner, Ms Jacqueline McGowan-Jones.

Ms J. McGowan-Jones: I am currently the co-chair of the Australian and New Zealand Children's Commissioners, Guardians and Advocates. That collaborative work has gone to Attorneys General and Premiers across all jurisdictions. We are awaiting advice from all jurisdictions at this point in time.

Ms L. METTAM: What is the commissioner advocating for at a state and national level?

Ms J. McGowan-Jones: There are a vast array of definitions around what is confinement, what is solitary confinement and what is good law and order. That can impact the reporting and understanding of how many hours children and young people are remaining in an isolated circumstance. We believe, and this is backed up by evidence,

that that is not suitable and we need to have a nationally consistent definition so that it can easily be tracked, monitored and reported on.

Ms L. METTAM: What impact does the Attorney General think that this work and the refinement of the definition will have in the Western Australian jurisdiction?

Ms J. McGowan-Jones: In the Western Australian legislation, we have a term only around confinement, rather than isolation, when confinement could in fact be seen on occasion to be isolation. It is not accurately reflected in the way the legislation is currently written. I understand that the discussion paper around the review of the Young Offenders Act is due shortly, and we hope that this is one of the areas we can address.

Ms L. METTAM: In building evidence for the need for this change in this report, was evidence provided by Western Australia?

The CHAIR: I think that may be trespassing outside the terms of the —

Mr J.R. QUIGLEY: It is outside of the budget items. It is what they call bracket creep.

The CHAIR: Let us proceed with another question. The member for Vasse needs to be mindful that we have divisions on the Office of the Information Commissioner, the State Solicitor's Office and the Office of the Director of Public Prosecutions to go. I am sure that you do not want to let them get off scot-free.

Ms L. METTAM: It is a matter of time, is it not? Although we have more questions, we will have to leave this division here.

The appropriation was recommended.