

Division 2: Parliamentary Commissioner for Administrative Investigations, \$8 155 000 —

Mr S.J. Price, Chair.

Mrs M.H. Roberts, Speaker of the Legislative Assembly.

Mr C.J. Field, Parliamentary Commissioner for Administrative Investigations.

Mrs G.M. White, Deputy Parliamentary Commissioner for Administrative Investigations.

The CHAIR: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The Speaker may agree to provide supplementary information to the committee, rather than asking that the question be put on notice for the next sitting week. I ask the Speaker to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the Speaker's cooperation in ensuring that it is delivered to the principal clerk by close of business Friday, 1 October 2021. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

[Witnesses introduced.]

The CHAIR: Leader of the Liberal Party.

Dr D.J. HONEY: I refer to page 46, budget paper No 2, volume 1, appropriations, expenses and cash assets. The total appropriations for the recurrent expenditure increase across the forward estimates from \$8.155 million through to \$10.948 million, which is a substantial increase. I am wondering what will cause that significant increase in spend.

The SPEAKER: I will defer to the Ombudsman.

Mr C.J. Field: I thank you, Mr Chair. I also thank Madam Speaker and the honourable member for his question. In short, the answer to that question is that it relates to the commencement of the reportable conduct scheme, which arose out of the Royal Commission into Institutional Responses to Child Sexual Abuse. Obviously, it is subject to the debates and discussion in this chamber and the other chamber on the passage of that legislation, but ultimately it is intended that my office has a role in overseeing reportable conduct. That will see, in both this year and the forward estimate years, some increase in the budget. I am happy for my deputy, with Madam Speaker's indulgence, to elaborate on that very slightly.

The SPEAKER: We can see that at the bottom of page 46, it is listed as the new initiative for those out years. I am very happy for the Deputy Ombudsman to provide some further information.

Mrs G.M. White: The figures are shown, as Madam Speaker said, at the bottom of the page. It is \$1.5 million in 2022–23 going up to \$2.5 million from 2023–24, because the reportable conduct scheme is phased in over those two years, to become fully operational by 2023–24.

Mr C.J. Field: Not to extend that answer out, but the member will see that in the first year, which is an establishment year, the number is lower, but when we look at the following year, we see that in the out years it will go to what is a corpus budget for the full delivery of that function, which will be \$2.5 million and around 15 FTE staff. All those numbers, of course, are very, very carefully based on experience in other jurisdictions, particularly in New South Wales, Victoria and ACT, which also have reportable conduct functions. There has been very substantial discussion and debate with well over 100 stakeholders in this state, some done by me and many done by my deputy. We have done very full consultation with all relevant stakeholders whom the member would hope and expect us to consult. Also, of course, it is subject to a green bill that was introduced into Parliament for consultation in November last year.

Dr D.J. HONEY: Could we have an explanation of the nature of the audit work to be carried out by the Auditor General in respect of legislated reportable conduct?

The SPEAKER: It is listed at item 6 on page 47. Effectively, the Ombudsman has been funded to fulfil this function. In terms of the actual investigations, I will ask the Ombudsman whether he can provide any additional clarity for the member.

Mr C.J. Field: I thank Madam Speaker. That is an excellent question, may I say, honourable member. The reality is that the function is undertaken by a number of oversight-type bodies around Australia. It really means that employers in the first instance have an obligation to identify employees—obviously, it is a tragic matter and we hope it does not happen very regularly—who have been involved in abuse, or other forms of misconduct against their employees.

Under those circumstances, they will be reported to my office, which would then have the capacity to undertake an investigation into whether that conduct constituted reportable conduct under the legislation and further actions could be taken in relation to it. It is a very serious function. In essence, the function is another step in keeping children in this state safe, protected from harm and protected from those who seek to do them harm on a one-off or a recidivist basis in employment situations in this state.

Dr D.J. HONEY: I refer to the scope of the agencies covered by the scheme. Is it only government agencies and government instrumentalities, or does it go further than that and into non-government?

Mr C.J. Field: No, it will go beyond. As it does in all jurisdictions, it will go beyond just government agencies. It will include religious institutions, non-government organisations and a range of others. I say this to the honourable member: my deputy, my staff and I have very extensively consulted a range of those organisations over the past 12 months. I think it is fair to say that there is a very strong embracing by the heads of our religious institutions, non-government organisations and others about the very good sense of this legislation and their preparedness to commit to it completely. Of course, as the member and the current government would expect of me, my organisation will reduce red tape as much as possible. We will ensure that it is done at least cost to those regulated. I am very, very pleased to see that not just government organisations, but non-government organisations—for which we would think this would absolutely be an issue, and that, of course, is the case that arose out of the Royal Commission into Institutional Child Sexual Abuse—have embraced this jurisdiction very warmly and strongly, and are working with us very cooperatively.

[10.00 am]

Mr R.S. LOVE: What is the timing of the introduction of the reportable conduct scheme?

The SPEAKER: I think the best indication of that is the table I pointed out at the bottom of page 46 of budget paper No 2 that states that it starts to be established in 2022–23, and will be fully operational in the out years 2023–24 and 2024–25.

The appropriation was recommended.