

Division 57: Commissioner for Children and Young People, \$2 735 000 —

Mr V.A. Catania, Chairman.

Mr C.C. Porter, Attorney General.

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

Ms M.M. QUIRK: The second dot point on page 744 refers to the need for more effective collaboration and coordination in the delivery of services and programs to children and young people. We heard this morning that police were charging out working with children and security checks for volunteer agencies in particular and the question arose of whether it caused some concern to the commissioner.

Mr C.C. PORTER: This is the issue about whether or not the commissioner's office should be engaging in criminal history checks for those working with young children. Is that the issue?

Ms M.M. QUIRK: The issue is that given the commissioner is the advocate for the interests, rights and protection of children, whether effectively handballing those checks back to volunteer organisations to pay for them may not expose children to some level of unacceptable risk.

[8.30 am]

Ms M.S. Scott: I am not sure exactly of the issue. I do not have responsibility for the working with children checks; that matter is, at the moment, handled by the Department for Child Protection. The relevant schedule has not been proclaimed in my legislation, so I do not have that responsibility at the moment.

Ms M.M. QUIRK: When will that proclamation occur?

Ms M.S. Scott: At the moment there is no agreement about when it will be proclaimed. I have raised the matter with my parliamentary committee—the Joint Standing Committee on the Commissioner for Children and Young People—and I have raised my concerns about the impost of that function coming into my office. At the moment, the Department for Child Protection deals with the working with children checks, and the process runs quite smoothly.

The CHAIRMAN: Members will please address their questions to the Attorney General.

Ms M.M. QUIRK: Attorney General, I was asking the commissioner a general question about whether she believed the regime of checks that exists, albeit in other agencies, exposes children to risk. She has in any event expressed no interest in that regime, so I will not pursue the question.

Mr J.R. QUIGLEY: I refer the Attorney General to the sixth dot point on page 744 of the *Budget Statements* about the recruitment of Indigenous people and the establishment of the commissioner's office to reach out to young people. Will the Attorney General outline how he intends to approach the intractable problems faced by Indigenous children, especially those in the Kimberley?

Mr C.C. PORTER: Although a stretch to the line item, I think it is an interesting question and one that the commissioner no doubt has some views on.

Ms M.S. Scott: As the Commissioner for Children and Young People, I have a responsibility to all children and young people, but I have to give priority to Aboriginal children and young people. One of my first tasks has been to travel extensively, particularly to the Kimberley, to meet with local communities, elders in the community, Aboriginal organisations, and children and young people. I have to say that the needs in the Kimberley are dire and considerable. I have advocated to government that Aboriginal children in the Kimberley are a priority. They are in need of a whole range of services, including health, education, safe houses for children and parenting supports. I will continue to advocate that Aboriginal children —

Mr J.R. QUIGLEY: What impact does the commissioner think she might have?

Ms M.S. Scott: At this stage, I —

Mr J.R. QUIGLEY: Our prayers are with the commissioner!

The CHAIRMAN: Please direct questions through the Attorney General.

Mr C.C. PORTER: I think it is a very serious question because the commissioner's role is to advocate, which gives the commissioner a very strong voice in the policy market. Whether specific agencies that can have an impact are moved to action by having this strong voice in that marketplace of ideas is obviously yet to be seen, but I think it is a very positive addition.

Mr J.R. QUIGLEY: Does the Attorney General anticipate that the commissioner will be out in the media a lot agitating these things or working quietly in the corridors, as it were?

Mr C.C. PORTER: Again, I think that is a very interesting, if somewhat abstract, question. The tendency in modern public policy and government to create independent offices such as the Commissioner for Children and Young People is one that I see as having significant advantages, and one that does not come without its difficulties because it is the case that an advocate in the public policy marketplace can advocate widely, stringently and stridently but without budgetary responsibility for the matters that need to be undertaken. However, I would expect that any position such as this that is created with such degree of independence would be expected to have a degree of vocality about it. Perhaps the commissioner might like to engage the member with her view of the role.

Ms M.S. Scott: I employ a range of strategies, including meeting with ministers and directors general, and also, from time to time, raising issues in the media.

Mr P. PAPALIA: I refer the Attorney General to the second dot point on page 744 of the *Budget Statements* that reads —

The need for more effective collaboration and coordination in the delivery of services and programs to children and young people.

In a way continuing on from the sense of the member for Mindarie's question, I ask: does the Attorney see the commissioner having a role with regard to juvenile detention facilities, thereby enhancing the role performed by the Inspector of Custodial Services, and bringing her view with a focus more on young people to the field? Mental health is the field in which I am particularly interested, and, as the Attorney General is aware, I have some concerns about some of the pharmaceutical treatments that may or may not be being delivered to young people in our juvenile detention facilities. Does the commissioner have an interest in that matter and will she be pursuing it?

Mr C.C. PORTER: I cannot answer about the commissioner's interest but she will have an opportunity to respond in just a moment. As to the importance of it and my view on the commissioner's foreseeable role in that area, my answer is yes. I would not want to see a duplication in the advocacy roles of the Office of the Inspector of Custodial Services and the Commissioner for Children and Young People, but the member has quite rightly pointed out that there are practices and policies that perhaps fall more in the ambit of the commissioner and less in the ambit of OICS and which might usefully warrant the attention of the commissioner.

I too am concerned about one of the issues raised by the member for Warnbro. Having around independent advocates such as the Commissioner for Children and Young People is a benefit for any minister because it is very difficult to keep an eye on every ball at every level of minute detail. I understand the issue raised by the member for Warnbro is one that is of concern to a number of people. I have not yet had the opportunity to investigate the matter at the very basic level of actual prescriptions issued and policies and guidelines; albeit I will investigate in due course. However, I think it is certainly a matter that would fall within the ambit of the Commissioner for Children and Young People.

Ms M.S. Scott: I am happy to comment on that. I think that coordination and collaboration within government agencies across a range of areas is absolutely critical to address the needs of children and young people. I have focussed on two areas during my first 12 months. One has been the early years, and I have made strong calls for an office for early childhood in Western Australia to bring us in line with other states and to maximise the opportunities for and investment in children and young people. Another critical area has been juvenile justice. In my last annual report, I raised concerns about the high incidence of the detention of Aboriginal children—75 per cent—and the lack of strategic direction in terms of rehabilitation services. Also, I supported the Auditor General's findings in relation to the Young Offenders Act. I have been very active in the juvenile justice area. I have visited Banksia Hill Detention Centre and Rangeview Remand Centre, and I have worked very closely on these issues with the Commissioner for Corrective Services, the Director General of the Department of the Attorney General, the Office of the Inspector of Custodial Services and the President of the Children's Court. I will continue to seek to influence and see positive programs implemented for those children and young people.

The appropriation was recommended.