

Division 9: Commissioner for Children and Young People, \$3 171 000 —

Mr S.J. Price, Chair.

Mr J.R. Quigley, Attorney General.

Mr C. Pettit, Commissioner for Children and Young People.

Mrs P. Heath, Director, Policy and Research.

Mr J. Lee, Principal Policy Adviser.

Miss L.A. Markussen, Ministerial Liaison Officer.

[Witnesses introduced.]

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 Attorney General 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 Attorney General to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the Attorney General's cooperation in ensuring that it is delivered to the principal clerk by Friday, 31 May 2019. I caution members that if the Attorney General 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.

I give the call to the member for Dawesville.

Mr Z.R.F. KIRKUP: I refer to the line item "Total Appropriations", which is the overall expenses for investigations and inquiries that are undertaken each year. The Attorney General might be aware of the more recent coronial inquest recommendation for the appointment of a commissioner for Aboriginal people, and in particular the government's statement of intent released on Tuesday that notes that that role could equally be filled by the Commissioner for Children and Young People and the Ombudsman. I am keen to understand whether the Attorney General has a position on whether that role could equally be filled by those two bodies, in which case it is the commissioner who sits before us; or is that possibility of a commissioner for Aboriginal people still to be explored?

Mr J.R. QUIGLEY: I do not know what line item the member is referring to.

Mr Z.R.F. KIRKUP: It is the line "promoting the rights, voices and contributions of children and young people" under "Significant Issues Impacting the Agency" on page 115.

Mr J.R. QUIGLEY: That is for the Minister for Aboriginal Affairs, Hon Ben Wyatt, to take to cabinet. We do not have a cabinet position on that yet. I know that Mr Wyatt is keen to see a commissioner for Indigenous people and that he will no doubt, in due course, take a submission to cabinet, but that has not happened yet. I do not think it is appropriate for the Commissioner for Children and Young People to foreclose cabinet's view on that.

Mr Z.R.F. KIRKUP: I appreciate that response. If there were a situation in which perhaps, as per the statement of intent, the Commissioner for Children and Young People and the Ombudsman shared the role, would the Attorney General imagine that the impact on the forward estimates might see more money being allocated to the commissioner to undertake such a role, as outlined in the coronial inquest?

Mr J.R. QUIGLEY: It is too difficult to answer whether more funding would be required for those two areas and what would be involved in a commissioner for Indigenous people. There is no doubt that Indigenous people in Western Australia have massive challenges that are specific to them. The way they are treated, including by the justice system, is evidence that we have a long, long way to go. I can give you an example.

[2.20 pm]

Mr Z.R.F. KIRKUP: Perhaps the Attorney General can do that once we have finished asking the questions.

Mr J.R. QUIGLEY: The answer is I cannot tell the member whether a further allocation of funding to the Ombudsman and the Commissioner for Children and Young People will cover that task, because I know that the Minister for Aboriginal Affairs is keen on seeing a commissioner for Indigenous people.

Mr Z.R.F. KIRKUP: I appreciate the response, Attorney General. The concern I have is that in the forward estimates next year the commission's budget decreases. If we are going to see a situation in which cabinet might split the commissioner for Aboriginal people role into the roles of the Ombudsman and the Commissioner for

Children and Young People, it would obviously require an increase in the budget, which would mean a separate appropriation. I cannot imagine that we would wait until next year's budget round before that allocation is given to the commission. The opposition's concern to see something like this proceed, as per the coronial inquest recommendation, is understandable. I appreciate the government's response that that role might be split between the two agencies. It is obviously a concern, as the Attorney General would no doubt appreciate given his extensive history in relation to the criminal justice system. The opposition's concern is that the budget is being reduced, and, if there is a role for the commissioner to play in that respect, the opposition should expect to see the budget increase. Is that correct?

Mr J.R. QUIGLEY: If the Commissioner for Children and Young People is tasked with further jurisdictional issues, the commission will be funded for the expansion of the jurisdiction. But at the moment, I will say that the contemplated commissioner for Indigenous people will not be confined in his or her concerns to young people.

Mr Z.R.F. KIRKUP: Absolutely, and I appreciate that. It was simply that when we raised this yesterday with the Minister for Aboriginal Affairs, the suggestion was that cabinet's deliberation might still go one way or the other—not necessarily pursuing the minister's ultimate goal of a single commissioner but perhaps having a hybrid model in which the Ombudsman has a deputy and the commissioner has a deputy in response to something like that. I am just keen to make sure there is a commitment that it would be funded if that eventuality were to take place.

Mr J.R. QUIGLEY: I have no doubt that Hon Ben Wyatt, a proud son of the Yamatji nation, will make sure that an Indigenous commissioner or a split jurisdiction will be properly funded.

Mrs J.M.C. STOJKOVSKI: I refer to the significant issues impacting the agency on page 115, volume 1 of the *Budget Statements*. Paragraph 1.1 states “promoting the rights, voices and contributions of children and young people”. What projects will the commission be undertaking this year to do so?

Mr J.R. QUIGLEY: I am going to invite the commissioner himself to respond to the member.

Mr C. Pettit: Thank you, Attorney General. We are currently in schools consulting approximately 4 500 young people, 900 of whom are Aboriginal children, on their whole health and wellbeing. Although we are doing it in schools, it is not about education; it is about their entire lives and all the things that are happening to them. It looks at ages eight through to 18 and we are hoping to have that completed by the end of July. We will, hopefully, have the report finished in the early part of next year. It is a significant one.

Mr Z.R.F. KIRKUP: I refer to the delivery of services on page 114 and the total appropriations for the commissioner. I note that the commission currently has quite a lot of important projects underway. Given that there is a budget reduction, which projects might not be pursued in the next financial year?

Mr J.R. QUIGLEY: Thank you. I will invite the commissioner to respond.

Mr C. Pettit: Thank you, Attorney General. At this stage, we cut our cloth to the dollars we have. We have signalled a range of projects we are going to proceed with in the next financial year, including around the impact of drugs and alcohol on children and young people. We work to the budget that we have and make sure that we prioritise that work as best we can for the benefit of all children.

Mr Z.R.F. KIRKUP: I appreciate the response, commissioner. Which specific projects might not be pursued in the next budget year, given the budget reduction? From what I understand, there are about 10 projects underway. Can the Parliament be informed which of those 10 projects might not be pursued in the next financial year because of the government's budget reduction?

Mr J.R. QUIGLEY: I will ask the commissioner to respond.

Mr C. Pettit: Thank you, Attorney General. At this stage, all of those are going to progress, because, as I have said, we have cut those to the budget cloth, so we will make sure they are done. What we struggle to do is react to any immediate issue that might come up, but we do that as best we can within the constraints we have.

Mr Z.R.F. KIRKUP: The obvious concern is that if something comes up over the coming financial year, it affects the ability for the commission to respond to those issues. Is there a list of priorities that the commission ranks those projects in? At the moment, in terms of priority, would the monitoring of children and young people's wellbeing be set aside if a matter came up and took over? Is there an understanding of, or perhaps supplementary information on, the allocations presently and in the forward estimates for each of those projects? For example, if \$200 000 was dedicated to a harmful sexual behaviours project and next year it was \$150 000, is there a list of what that might look like?

Mr J.R. QUIGLEY: I will ask the commissioner to respond.

Mr C. Pettit: If a dramatic or significant issue arises, we will not stop a project but it may stall the project in terms of its long-term approach. Instead of doing it over six months, it may take over 12 months, and that ensures we can react to those issues as we need to. We tried very hard not to dismiss any project that we already have on task, because of the significant influence that we have had around the organisations that contribute to it.

Mr Z.R.F. KIRKUP: I note that one project going on is the Aboriginal leadership and cross-cultural project. Has any work been undertaken to deliver that in the Kimberley region? I note that the most regional school it was linked to was Narrogin, I think. Has the commission looked at delivering that in the Kimberley?

Mr J.R. QUIGLEY: I will ask the commissioner to respond.

Mr C. Pettit: Not in the Kimberley specifically, although we have talked to almost all the schools in the Kimberley and explained exactly what the information we gained from that process was. We are doing two trials using that model—one is in Safety Bay and one in Jigalong. That is in concert with the people in those locations to make sure they are comfortable with that and so we can work with their children to get the benefit out of it.

Mr Z.R.F. KIRKUP: Are any of the projects that the commission has underway—I think we spoke about it last year and in subsequent conversations—being delivered in Roebourne, or are any projected to be delivered over the coming forward estimates?

Mr C. Pettit: The answer to the first part of the question is no. We have not delivered projects directly into Roebourne itself. Obviously we monitor what is happening in that part of west Pilbara as part of the west Pilbara plan, but we are in discussions with a number of people in the Roebourne vicinity about how we can support some of that work now that the government has finished its implementation towards the west Pilbara plan.

Mr P.A. KATSAMBANIS: I refer to the outcomes and key effectiveness indicators on page 116. Looking at the delivery of outcomes compared with the budgeted outcomes, and consultation in public awareness and engagement, to use a term that young people use colloquially, the commission is absolutely smashing it, which is great. That is a credit to the commission, and that also reflects down to the efficiency indicators and unit cost per child, which, obviously, is significantly reduced from the budgeted amount because such consultation is being engaged in. That is really positive. The commission has done this two years in a row. My question may be outside of the purview of both the minister and commissioner, but are those targets realistic anymore? I know there is a review. I think it is being conducted either by the Auditor General or Treasury. When will we be in a position to see some of these outcomes and efficiency targets reflecting the work that is already underway? In other words, we want to stop anyone in the future from slackening off from where the commissioner is at today.

[2.30 pm]

Mr J.R. QUIGLEY: I will have to ask the commissioner to respond.

Mr C. Pettit: I thank the member for his recognition of the work that the office has done, but I cannot take credit for all of it. This is the second year that this set of key performance indicators has been used. We negotiated with Treasury and the Auditor General about setting those targets based on historical data. But we also built into the process that at the end of the third year, which is obviously next year, we would review all the targets to make them more realistic, subject to whatever has happened over the past three years. We are reviewing them—it will be done in concert with Treasury and the Auditor General—so that they are more reflective of what is happening. The member is right; we have done a lot more than we have in the past in some instances. But our work is very variable. For example, in some years we are doing 4 500 young people. There is strong consultation this year. We probably will not do that many next year, because we will need to move into report writing. These figures will move up and down somewhat.

Mr P.A. KATSAMBANIS: Does the office set internal targets that are different from the budget targets; and, if so, is the commissioner able to enlighten us on what they may look like in any given year, especially given the commissioner's last comment that it is variable because of the stage at which the consultation is at in any particular period?

Mr J.R. QUIGLEY: I invite the commissioner to respond.

Mr C. Pettit: The simple answer is no, we do not have internal targets. However, we do report more broadly in the annual report, which is tabled. That not only encompasses this set of data, but also unpacks some of that data in a way that is quite definitive.

The appropriation was recommended.