

**JOINT STANDING COMMITTEE ON THE
COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**

REVIEW OF THE FUNCTIONS EXERCISED BY THE COMMISSIONER

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 24 FEBRUARY 2016**

Members

**Ms L.L. Baker (Chair)
Hon Robyn McSweeney (Deputy Chair)
Ms E. Evangel
Hon Sally Talbot**

Hearing commenced at 11.00 am**Mr ALASTAIR MacGIBBON****Commissioner, Office of the Children's eSafety Commissioner, examined:**

The CHAIR: On behalf of the Joint Standing Committee on the Commissioner for Children and Young People in WA, I would like to thank you for your appearance before us today. The purpose of our hearing is to assist this committee in reviewing the function of the Commissioner for Children and Young People. You have been provided with background information about the inquiry, including the terms of reference. I would now like to formally introduce myself and my committee, Alastair. I am Lisa Baker and I chair the committee. On my immediate left is Hon Robyn McSweeney. She is an upper house member and member for the south west of the state. A little further along is Hon Sally Talbot who is also an upper house member and also from the south west. My parliamentary colleague in the lower house is ill, so she is an apology, and you do not need to write down her name. The Joint Standing Committee on the Commissioner for Children and Young People is a committee of the Legislative Assembly of the Parliament of Western Australia. This hearing is a formal procedure of the Parliament and therefore commands the same respect given to proceedings in the house. Even though the committee is not asking you to provide evidence on oath or affirmation, it is important that you understand that deliberate misleading is contempt of Parliament. You have agreed to provide evidence to this committee in Western Australia by electronic means from a location outside the state. Uniform defamation laws were enacted across Australia in 2005. This means that even though you are outside WA, your evidence will still be protected by the defence of absolute privilege against actions and defamation. This is a public hearing and Hansard is making a transcript of the proceedings. If you refer to any documents it would be great if you could give us the full title for the record.

I have five quick questions before we start. Have you completed the "Details of Witness" form?

Mr MacGibbon: Yes.

The CHAIR: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

Mr MacGibbon: Yes, I do.

The CHAIR: Did you receive and read the information for witnesses form provided?

Mr MacGibbon: Yes, I did.

The CHAIR: Do you have any questions in relation to being a witness?

Mr MacGibbon: No, I do not.

The CHAIR: Thank you. That is the formal bit out of the way. I have a little bit of a preamble to read for you just so that we all start on the same page, but it will be a bit less formal from now on I would hope. Our committee notes your role as a one-stop shop for online safety. We sent you some information about our inquiry and particularly the recommendations arising from Justice Blaxell's inquiry into what we know as the Katanning Hostel report, which recommended a one-stop shop for children who suffer abuse in Western Australia. Our committee has, as a part of its wider inquiry, tried to determine what type of role and whether that role should be filled by the children's commissioner here. The evidence to date seems to suggest that while a one-stop shop model is effective in many ways, there are substantial resource implications for rolling out such a model statewide in a state the size of Western Australia. Whilst it may be preferable for a person to have only one place to go, the physical premise of a commissioner in a one-stop shop

environment would have to be duplicated many times in order to get coverage across our state. We are therefore considering how the commissioner can support the child protection sector—that is government and non-government—even if that role is not modelled on a one-stop shop.

When we heard about your appointment we became really interested in chatting to you about the really innovative direction of your office—its mere existence is pretty exciting. We want to talk to you about the elements you saw crucial in setting up your one-stop shop and learn a bit more about the role of your office. Obviously, in our journey around child protection and child abuse we have heard of cyberbullying and words around e-communications quite a bit, so it would be great to have a chat about your role. Could you start by telling us what you do and how you do it?

Mr MacGibbon: Sure, fantastic. Thank you for the opportunity to meet with you. I will do everything I can to give my opinion and assistance to the committee for what is clearly really important work. I have not prepared a statement but at your request I will give you a bit of background about the office. We were formed on 1 July last year and we came about as a result of an act passed by the commonwealth Parliament earlier last year. The office has a number of roles. The first is to act on serious cyberbullying material targeting an Australian child, which I will come back to. The second relates to dealing with illegal online content, largely child sex abuse material, though there is other illegal online content under the Broadcasting Services Act, and I will further define that for you. The third is a role of education and social change, which is what I prefer to say, and the response is that prevention is better than cure. In September last year after the office had opened, the Prime Minister gave us some additional responsibilities in relation to the technology-facilitated abuse against women and children in domestic violence situations, so we have added that to the work that we are doing. They are the main areas of operation of the office. Just briefly on cyberbullying, if we were to take a straw poll of the population and ask them what they think cyberbullying was, we would get a range of often quite narrow definitions. The act is quite broad in what it defines cyberbullying to be and that is seriously intimidating, harassing or humiliating a person, and it has to be an Australian child, but that means pretty much everything from stalking through to trolling and all of those types of activities that are designed to harm a person online. It just happens to be a young person that we deal with.

There are specific powers in relation to taking down that cyberbullying material from social media services. We have nine such social media services that fall under the purview of our act at the moment, which are Twitter, Facebook, Instagram, Google+, YouTube, Yahoo Groups, Yahoo Answers, Flickr and Ask.fm. That encapsulates a lot of the eyeballs and clicks that relate to children's activities online—not all of them but certainly a fair number. We have had success in bringing material down from services that fall outside of the act and we are in the process of contacting a range of social media services to try to bring them voluntarily into the act. We also have a power to issue what is called an end-user notice, which is essentially the equivalent of a cease and desist notice to a person who is uploading materials that are harmful to an Australian child. That goes beyond social media services; it goes to email, SMS, uploading comments to websites and other such things.

On the cyberbullying side of it, the illegal online content I said is largely child sex abuse material. In the first six months of operation we took down 4 008 URLs, all of which were offshore. Some of those had hundreds if not thousands or tens of thousands of child sex abuse images in each of those instances, so it was a very high volume and a sad part of the office. Of course we do that very much in conjunction with law enforcement agencies including those in Western Australia, but all of those 4 008 websites we took down were offshore.

In terms of education, and I know this is something that the committee is interested in so I will keep quiet shortly, prevention is better than cure. The way Australians get information online is different to the way they used to. We know that they are searching for answers as opposed to going to destination websites. They will type in our website—esafety.gov.au—but they do not always do

that. They will usually put their request into their favourite search engine and you need to make sure that you service your results higher than others. That is not always the easiest task of course but we think we are progressing in those regards.

[11.10 am]

We think a lot of parents in particular are searching for answers on an as-needs, just-in-time basis, so we are ramping the amount of material we have and trying to create it to be very specific to individual questions. That changes the way you architect websites and how you put information up online more broadly. We do maintain a training capacity. Within the first six months we trained 60 000 Australian schoolchildren, parents and in-service and pre-service teachers. Pretty much most teachers who are going through teaching colleges these days are getting outreach from us on cyber-safety education. We also run what we call virtual classrooms where we use the internet to reach into schools. It allows us to engage with many more students and get rid of some of the logistic problems that you would face, of course, in the west as well. On the Safer Internet Day two weeks ago, we were able to reach out to 27 000-plus students via the internet and run through specific cyber-safety training. The important part of our office's future is we learn how to leverage technology better to fight technology abuse. We have also certified—I believe the count is 21 now—cyber-safety training organisations and their staff to go out and teach cyber safety in schools and other places. We realise that we cannot be the centre of gravity. We are trying to share our IP with those organisations so that as they go out to train, they carry that same message forward.

The CHAIR: Alastair, can I just interrupt? Does that mean that you are an accrediting body under the Australian training authority for delivering this training? How does that work?

Mr MacGibbon: We are not an accredited body in a formal sense. We have a voluntary certification program that those organisations apply to, but it is a really valid question. We see this as an iterative process of market differentiation, essentially. This comes with the commonwealth grants process as well, which we are still negotiating with states and territories. There are funds that in time will be disbursed to departments of education and their Catholic and independent counterparts that they can draw upon to, essentially, hire the skills of certified organisations. There are two sides to the coin. One is us certifying entities, and that includes things like—and then how do states drain the swamp? It could be an iterative process—checking that these agencies have working with children checks for all their staff in the appropriate state or territory that they are operating in, that they have basic professional indemnity and other liability insurances, that they provide us with the CVs of those who will be doing the training and that they show us their training materials and all those other things. It is not the highest bar, but it is a bar nonetheless, and it is a bar that we will raise in time and then we may well go down the more formal certification path. That is our way of trying to—and it was commonwealth government policy—look at how to create more of a private sector marketplace in terms of cyber-safety education. That is about the office, Lisa. I know you have a series of questions and other areas that you want to focus on, so I should leave myself open to you guys for any of those questions.

The CHAIR: Yes, I have about 3 000 more now after hearing what you said. That is really, really interesting. Have you done any work with Donna Cross from UWA here?

Mr MacGibbon: She is certainly known to the office. What I should have said is that while I call us a start-up and we have only been around since 1 July last year, I am a grateful recipient of work that has already been done by various agencies including the Australian Communications and Media Authority Cybersmart program. I know they have had a relationship with Donna over the years. The same names keep coming up of good quality people who know about cyber safety.

The CHAIR: From our perspective in WA, Donna is one of our children's commissioner's champions or ambassadors for children. The children's commissioner here has a number of high profile Western Australians who support the development of children and the healthy lives of children, and Donna is one of the people who came and gave us as a committee unit 101 of UWA's

course on cyberbullying—basically, a lecture on it. She was very good and, I suppose, we were quite encouraged to hear about the work that she is delivering in schools directly to schoolkids.

One of the things that I was going to ask you about is in relation to your capacity to on-fund through the commonwealth state agreement various education departments in different states. One of the challenges that we as a committee have found in WA is that it has been quite difficult—indeed, it is simply not done at the moment. The education department does not actually have a definite understanding of how many schools or how many teachers are being trained in child protection behaviours or safe schools behaviours—any of those kind of behaviours. At the moment, they do not dictate that that should happen or how it should happen. They have a more, I suppose, school-focused attitude of saying, “As a school in Western Australia you have to deliver professional development to your teachers each year, and some of that could be about cyberbullying or child protection.” The subject could be about teacher education in a different capacity. They do not actually collect data and know what is being delivered, so we have a question as a committee about the veracity of that training. Who is being contracted to deliver it and how does the school know that they are getting the best product available? It is very interesting. Have you thought when that money comes out, will it be tied to certain contracts for certain delivery organisations?

Mr MacGibbon: Yes; there is a funding agreement that is currently in flight. I have had discussions, under the COAG agreement, which, as you know, can take some time. I say this will all respect to my state and commonwealth colleagues. Yes, there are key outcomes required with that funding and what the departments and their Catholic and independent counterparts will have to do in order to acquit those funds. That includes, of course, purchasing the services from a certified provider from the office. Our website lists those providers at the moment and breaks them down by state and territory, so that is at esafety.gov.au. We can also, if it helps the committee—when I say “we”, I say it very royally. If I can get back to you—I am sure my staff will appreciate this—we can give you some figures about what we have done in the west in terms of our own training and what schools have participated in our virtual classrooms and other such things, if that would help.

The CHAIR: Wonderful.

Mr MacGibbon: That will give you some indication of where that goes across. Of course, that is very specific to do with cyber safety but it might give you an indication.

The CHAIR: Thanks, Alastair. Maybe if I just continue with some questions about the notion of the one-stop shop. How do you see that actually being played out? I know you read out to us what the legislation says you should do and you have also explained some areas that you have just received that you did not have in the legislation before, but how does the model of a one-stop shop interplay with the legislative requirements and with what you have now developed in Canberra in your capacity?

Mr MacGibbon: I thought your opening statement was interesting because you talked about this concept of particularly child abuse issues. I immediately thought of some of the sexual assault teams in some states that are all joined up now where you have someone from the area health service, with the police service and with perhaps a child welfare agency all as one investigative team or a team that meets one time with the complainant. I know also from a domestic violence point of view that one of the ways that police services are trying to improve their services—and, obviously, other state and territory agencies—is to take the first evidence given as read, essentially, so that the complainant tells their story only once if possible. If that is thoroughly done in the first instance, they are not re-traumatised and they are not going through that revolving door of government.

[11.20 am]

I have always taken the view, particularly when it comes to the internet, that the complainant should not have to understand the brief and nature of agencies in order to get satisfaction for their

complaint. That is the first principle of what we are trying to do when it comes to our very narrow responsibilities. If a person comes to us and it is not a matter that we can handle, we do not just say, "It's not a matter we can handle. Good luck." We will undertake to make sure that the appropriate agency gets a warm handover of the matter. What I say publicly and what I say to the staff is that if a person has made the effort to contact us, then we make the effort to ensure that they get satisfaction from contacting us. We have been very poor, frankly, at doing that on the internet, both from a commonwealth and a state level, when it comes to complainants. That is the first philosophy we take.

Secondly, we try, along the same lines as I was saying with domestic violence and sexual assault, to gather as much information as we can up-front so that we can take the appropriate action. A lot of what we are doing is not investigating; a lot of what we are doing is complaint handling and there is a fundamental difference. Because we are often dealing with material that on face value you can make a determination it is or is not within our act, we try to get as much information up-front so that we can make an assessment and action it as quickly as possible. Our action time from getting a complaint to actually taking overt action and having that content removed is eight hours so we can bring that fast resolution to people. Clearly, that cannot be done when it comes to child sexual assault matters because they are much more complex and it is not as easy as us just taking material down, which is really what we do as an office. We make sure that we try on our web form to capture the information up-front. We try always to make it as non-cumbersome as possible in that process so that the flow is easy and it is not intimidating. We try to make sure that we capture the information up-front so that we can be not just a one-stop shop but a "one-touch shop" so that it comes to us and it is unlikely that we need to go back to get further information.

The other thing that we are looking at helping to do is that is we have a contract With Kids Helpline and we have training for Kids Helpline counsellors to assist children in filling out the complaints form so that they can literally hold their hands through that process. In time, we will try to scale that through live chat and other such things on our website. So if you seem to be spending too long on a particular page as you are filling in a complaint to us, we can come online and say, "Do you need a hand in answering these questions?" I am not sure if that helps answer your question.

The CHAIR: Yes, thank you. We have another question from Hon Sally Talbot.

Hon SALLY TALBOT: Is the monitoring of the form being filled out done in real-time?

Mr MacGibbon: Yes, we provide the frontend of the form with our case management system at the backend. These days you can, of course, have smart forms and there are a couple of software providers who can do that, so you can be pretty elastic as to brand, and you can make sure that as that form is drawn out, it gets sucked into our case management system. We built some logic at the backend of that for us to prioritise those complaints. In time, we imagine it will be a reasonably high-volume business when it comes to cyberbullying. At the moment it is not, and that is largely just public awareness and trust that we will act. The public has largely been conditioned into thinking that once something is online, it stays online forever. We are trying to convince them that, no, they do not need to put up with those things.

In many respects, it is not too dissimilar to child sexual abuse. If you have complained before and no-one does anything, why would you complain again? The same happens with online content. But we built the system so that as a complaint comes in, we will have various filters over the top looking for—we ask the complainant to rate how this material has impacted them, what it has done to them in terms of their outlook on life and other such things. We work with psychologists to try to get those simple questions and they can rate those so that we—our staff—can look at matters at the other end and say that this matter would appear to be something that we need to handle sooner rather than later and take the appropriate action. So it needs to be real-time; the frontend information collection and the backend case management system need to be seamless. We have the benefit of being a very small entity that is a start-up, so we have the privilege of being able to build

that from the ground up. It is harder to reverse-engineer that into existing businesses and into the larger agencies.

Hon SALLY TALBOT: What sort of resources does that take from your agency to do that real-time monitoring?

Mr MacGibbon: If you include contractors and others, we would need about 50 people. We put a reasonable number of those staff into IT development—a fair proportion of those—to build our web interface with people as we keep trying to develop our web services. I have a philosophy that since we are essentially an internet business and dealing with regulation of internet things, we need to win on the internet. That is the place where people are having the problems. That is the place where we need to win as an agency.

Hon SALLY TALBOT: By definition they are connected electronically, aren't they?

Mr MacGibbon: Yes, which is also a problem that someone dealing with child sexual assault matters, or child abuse matters more broadly, may not have. We know that every complainant has to be connected to the internet. We know that every complainant needs to know enough about the internet to have seen that they are in trouble, and, therefore, we know we can receive our complaints via the internet, which is not a luxury afforded to people dealing with broader child sex abuse matters, and I can see that difference. As I say, we have also invested a significant proportion of our staff on the education and outreach side and the prevention side. In terms of the complaints handling, it is a fraction of those staff and that is because we can automate systems. Part of that is also a volume issue as the volume increases. For our illegal online content side, where we saw 4 000-plus takedowns in a six-month period, that is a larger team just based on the fact that they have to classify roughly those images to determine if they are child sex abuse images versus non-illegal matters, and then determine what country that was in and handing that over to that country. That team is larger just by sheer volume.

The CHAIR: I have a question that is a bit detailed. Do you have an actual interface with a child in taking a complaint? Does someone in your office at some stage of the game have an online conversation and collect a complaints form that says a child has been cyberbullied in some respect? Is that actually something that happens in your office? Does a child goes online and say that they think they are in trouble and ask if you can help them?

Mr MacGibbon: From memory, about one-third of the complainants that we have had have been children and two-thirds have been parents or authorised adults. Largely, they will do that without any actual interaction with our staff. They will do that by filling out our interactive web form, which will then assist at the backend. It is not face to face; we do not have those physical points of presence. We have an office in Sydney and Melbourne and then there is me in Canberra. This is largely online only. We have the ability to download that form and print it out and then physically fill it out and send it back to us, and we have minor phone capacity, but we are not staffed to have too much phone interaction. Our preference is for people to do that data entry for us, but we recognise that there will be edge cases where people cannot do that so we try to have it that anyone can report to us. It is just the vast bulk of them we would prefer to be doing online, and that is done by using this interactive form. We are experimenting with ways to make that much more interactive and less burdensome. We work with the Digital Transformation Office in Canberra, which is a new entity looking at how to create e-government, but we do work as an agile agency. Everyone wants to be an agile agency these days, but if you are truly agile that means you launch a minimum viable product in the first instance and you interact fast. Version 1.0 of our web form, was indeed a minimum viable product; it was fit for purpose but it was not elegant. We have gone through a couple of iterations there where we tested and learnt, and continue to test and learn. Our website and our offerings to the public in terms of how they interact with us can change on a weekly basis. We run what are called one-month sprints. Literally, we will say that we need to change these aspects of how the public engages with us and over that next month period our technical team will

build version 2, version 3 and version 4, and we will then test that and change. We are not doing traditional government work, which is in February we think we should make a change and then the February later we make that change. We literally change on a monthly or a weekly basis.

[11.30 am]

The CHAIR: That is fantastic.

Hon ROBYN McSWEENEY: Thank you, Alastair. Do you monitor the Kids Helpline or do they refer back to you? I know that not so long ago there were many calls that were not taken. The ones that are taken—do you have any dealings with those calls?

Mr MacGibbon: Yes, Robyn; we have a commercial arrangement with Kids Helpline. We part-fund Kids Helpline, so there is actually a relationship between us. We have trained their staff, as I have said, and they give us insight into the types of calls that are made. In that first six-month period, we referred about 2 500 people to Kids Helpline, which would indicate to me that most people are actually seeking support rather than action. We are working with Kids Helpline to have them help kids who have come to them for counselling to fill out our form if that will help the child.

I think one of the questions asked was how we ensure that we are indeed child centred. Part of that child-centred approach is to try to give the child and their family control over the situation they are in. A lot of what happens on the internet is about lack of control; it is a power game and people often feel disenfranchised and unempowered. As an office, what we are trying to do is say, “Look, we’ve got certain powers, we will try not to use those powers if you think it’s going to harm you further. We’ll not serve a cease and desist notice on the person engaged in this activity if you think it’s going to inflame it. I am happy to serve the notice if you think that it will help, but we want to make sure that we’re putting you at the centre of these things.” We therefore try to work with the complainant and the family if we need to use certain extra powers.

Referring people to the Kids Helpline: I look at this as a waterfall chart. They come to our website; we might get one million visitors. They will go and find information from different pages, and that might be enough to satisfy the person—“Am I on the right track? Am I pursuing the right strategy as a family? Yes, great, fantastic; I am empowered. I might want counselling for my child, or for me at the parents helpline.” That is great if that helps you get over whatever it is that you have encountered online; that is terrific. You may need to come to us to help with material being brought down; fantastic, we are happy to do that, but we are not going to force you down that path. If we think something is totally egregious, clearly, we have power to act without the consent of the end user, but it is complaints-based system. So, we need a complaint to first bring that to our attention.

On the issue of the calls not being answered, it is my understanding that a lot of those issues are being addressed. They have moved to live help and a whole range of other much more web-friendly technologies. We are always happy to work with Kids Helpline and others, frankly, to deal with volumes online, but we think trained counsellors are really important for the journey of a lot of those people. Whether it ends up being complaints formally made to us, I am actually quite relaxed about that. So long as the child feels empowered or the parent feels empowered, then I think we have helped address the problem.

The CHAIR: Thanks, Alastair. I think we are probably pretty close to getting the information that we had hoped to get. Specifically in relation to the role of the children’s commissioner in Western Australia, do you have any view about how the children’s commissioner in WA could, or maybe should, look at the issue of cyberbullying as part of their agenda for the future? Is it too specialised for a children’s commissioner role to pick up? When you seek to develop better relationships with Western Australia, could you actually speak with the children’s commissioner about the work that you are doing?

Mr MacGibbon: I will take that in reverse order. Absolutely, the role and relationship with people like the children’s commissioner is central for us as an office to succeed. I think that most people recognise that the services that the public generally access are delivered by states and territories, not

by the commonwealth. They will go naturally to entities that they know of in their state or territory to seek redress. As a consequence, my relationship with the privacy commissioners, with children's commissioners, with police services, with departments of education and with all those other services, health departments and other such things, is critical because people will go to the Western Australia Police or they will go to the children's commissioner with all these problems. Again, I am quite relaxed about who delivers the service, so long as the right information is there for the complainant. Getting back to that issue about the revolving door—if someone goes to the Western Australian police service or to the Western Australia children's commissioner, all that I want is that if the complainant has gone there, if we have the right legislative hammer to help, that that hammer is used. If there is a better hammer or tool somewhere else—I am not making it sound like everything has to be a nail —

The CHAIR: I am getting worried; you are sounding a bit like a serial killer now!

Mr MacGibbon: I am sounding a bit violent, aren't I! Everything comes back to the nail—that is right.

I think it is vital that no matter what the point of entry is into the system, the public thinks they are dealing with the government, whether it is a state or a commonwealth government entity. They just want to deal with someone who can help them. So, yes, we have had discussions with the WA children's commissioner and I hope that we have a long and fruitful relationship. I know that Tasmania was also looking at bullying recently. The law reform commission there looked at specifically an increased role to do with bullying more generally because we recognise that cyberbullying is often one aspect of a continuum of bullying that probably does manifest itself in the schoolyard and other places.

The reason we think that we provide a good service is: as a commonwealth agency dealing with what are often offshore-based internet services, we think that that can be an effective adjunct to any other service provided by a state or, indeed, by a commonwealth entity. Anything that looks to enhance the safety of WA children is great and if we can assist as an office by helping on the internet side, even better. Again, no child should be bullied without some form of recourse if it is serious, and no child should be bullied online either. At CEC, I like to think that we have helped on the online side, but we can only help truly on the online side if we are joined up with all the relevant services in the state or territory.

The CHAIR: The last questions I would like to ask you, Alastair, you touched on when Robyn asked you a question: do you have a KPI for your organisation that is about outcomes from complaints? If a complaint comes in and you refer it to the children's helpline or you refer somewhere else, at what point do you measure your success in that? Is it in the process of the referral or is it in the process of saying that that child at the end of their journey from my office to their office to someone else's office had a successful outcome? How far do you follow a complaint through referrals?

[11.40 am]

Mr MacGibbon: That is a fantastic question. Let me answer it firstly by saying that I think the ultimate, only measure of success for our office is cultural change online. That is a pretty tough measure of success to hold myself to but that is really what we are here to achieve.

The CHAIR: That's a big one!

Mr MacGibbon: It is, and I hope I will be gainfully employed for a while. I think I might take time in achieving that result; I just hope I keep the government's confidence in trying to achieve it. That is ultimately the only success we can have because otherwise, what we are playing is not a worthwhile game. If all my office is doing is taking down illegal content or content that is harmful to children—more broadly, in the cyberbullying sense—then we have actually failed. We can succeed in terms of each complaint, but we have failed in terms of changing the dynamic. I am not trying to be trite in saying that. The reality is that this is about social change. The measure that

I want to have is have we demonstrably changed the behaviour of the end user such that they (a), do not feel compelled to do the activity that leads to the complaint and, (b), we have empowered the other user that might be somebody with complaints to help themselves largely.

But I also recognise that we are dealing with complainants. To answer your question more specifically, it was the topic of conversation in the office just this morning. We often cannot follow matters through to the end. We know that when we have sent something, for example to a social media service, was the matter is resolved or not. I can say that 100 per cent of the time, the referrals that we have sent over to those media services, the matter has been actioned. So we can take down the material; that is good. If it was a valid complaint, we have had 100 per cent compliance from the internet industry, which I think is remarkable and something to celebrate, and a world's first. Whether the child and the family have solace as a result of that is a bigger question because this might be bullying that is occurring in other places. To that end, we do try to work with schools, if the Act allows us to disseminate information to school principals and others we will do so if we believe the matter can be most effectively dealt with inside the school itself. We have an MOU that we are trying to negotiate—not always successfully and not always quickly—with the Department of Education and others to close that very loop in the question you were asking. That is, if we refer a matter to you, we would like to know what the result was and we would like to know within a certain period what action did you take and was the complainant satisfied because our reputation rests on that as well. The person has come to us and that goes to the revolving door question at the start: if someone complains to us, we will tell them what we have done with their complaint. We have a feedback loop where we will communicate very quickly back to the complainant what we have done, where we have gone and if we believe the matter is closed and for them to let us know if they do not think it has and what more we can be doing. I do not have a perfect answer but what I can say is that I am very conscious that we almost need to be very corporate in how we do this. We need to be very customer focused in how we do it. We have the privilege of being a very small office and being a new service so that we can, again, build that customer service philosophy into what we are doing. Again, that makes it sound trite.

The CHAIR: I understand.

Mr MacGibbon: It is almost like the promoter score question that you see businesses asking: would you deal with us again? “Would you recommend us to other people?” is really the question. That is, did we provide the service that you expected as a member of the public? We are trying desperately to make sure that that is the way we measure ourselves. We are too young to know whether we are being successful in that space but we certainly want to make sure that we create that social change.

The CHAIR: That is really helpful. Thanks, Alastair. I think our committee has just about run dry so I thank you deeply from the bottom of our collective hearts. I will read the closing statement so you can get on with your afternoon.

Thank you for your evidence before the committee today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached. If the transcript is not returned, it will be deemed to be correct. New material cannot be added via these corrections, and the sense of your evidence cannot be altered. If you want to give us any additional information, you are more than welcome to under the heading “supplementary submission”. You can add that when you return your transcript, if you are correcting. Thank you so much, Alastair. It is very exciting to hear about the work that you are doing and I am sure I speak for all of my committee in saying that you have given us some things to think about about the role of a one-stop shop, and particularly about our own children's commissioner into the future. Thank you.

Mr MacGibbon: Thank you very much; I appreciate it.

Hearing concluded at 11.44 am
