



27 February 2019

Hon Dr Sally Talbot MLC
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Via email: jscccyp@parliament.wa.gov.au

Re: Inquiry into the monitoring and enforcing of Child Safe Standards - submission

Dear Hon. Dr Talbot

Wanslea has been operating in Western Australia for over seventy five years with a focus on the well-being of children through working with their families and communities. We offer a range of parent support, out of home care, school based and community programs, mental health, grandparent carers' support and childcare programs across the state. Much of our work is with families experiencing vulnerability including Aboriginal families and emerging communities in regional and rural locations.

We are committed to offering services that are child inclusive and respectful and have introduced a number of mechanisms to support this. Our organisation has the appropriate safeguards in place to maximise the safety of children on our premises, with our staff and volunteers, and has commenced work on aligning policies and practices.

The following is offered as areas that for consideration in this Inquiry:

1. There have been a number of inquiries that provide learning for this area of concern, with the most recent, the Royal Commission into Institutional Responses to Child Sexual Abuse. Whilst this was focussed on historic events, we know that sexual abuse of children continues and the avenues for children to alert trusted people are limited, particularly when it is systemic abuse. One of the recommendations of this Commission is to provide a "one stop" shop that is easily accessed and can take on the entire process required to ensure accountability of perpetrators and protection of victims.
2. The Dondale Inquiry in the Northern Territory also highlighted that there was no easy way for children to access the support of a trusted adult or place.
3. Within WA there is limited mandatory reporting, and we are not advocating that this be extended. However, where a child discloses abuse to a non-mandated reporter there is no recognisable pathway for this person to follow if s/he is sufficiently concerned and wishes to report. If there was to be one person or agency with this responsibility it would quickly become known as the place to go in these circumstances.

The principle requirements for this role include:

- knowledge of child protection and child safety that is internal and inherent within the agency

- a place that will exist long term to enable children/young people access if they need to return at a future time
 - an agency that has the capacity and sanction to advocate, a reportable conduct role and the data to support these actions
4. Advocacy is an important component to consider in this Inquiry. A monitoring function is unlikely to lead to change as there will be no avenue for issues to be raised, trends discussed, or stories told that will engender changes to legislation or practice.
 5. Other states and territories have used different structures to WA to undertake monitoring and enforcing roles. These include the Children's Commissioner in Victoria and the Children's Guardian in NSW who sit in positions similar to the brief of the WA Commissioner for Children and Young People.
 6. Equally there is a need to consider a role for an Aboriginal Children's Commissioner to ensure that Aboriginal children's specific needs are heard and met and this should be located within the current Commission with clear reporting lines to Parliament on equal footing as the current Commissioner's role.
 7. Wanslea is a major provider of foster care in WA and through this has had a number of opportunities to observe the current oversight functions that operate through the Advocate for Children in the Department of Communities. This has long been a contentious issue as there is no transparency in the role when the Advocate is an employee of the Department.
 8. The position of the Child Advocate needs to be included in the oversight and monitoring remit proposed and it is suggested that including it within this scope will provide the necessary transparency, status and independence warranted. Having one place for all concerns will also contribute to a best practice model of monitoring and enforcing for the state.
 9. Wanslea supports the proposal that the functions of the Office of the Children's Commissioner be revised to include the monitoring and enforcing of Child Safe Standards. The Office has demonstrated its capacity to listen to the voices of children and young people through a number of inquiries and reports. I have been privileged to sit on some of the reference groups for these and Wanslea has partnered with the Commission to gather the "voices of children" to contribute to the reports. Wanslea's Cusp program's consumer group was the Commission's reference group for one year and provided ongoing feedback in relation to the mental health of children and young people.
 10. The Commission has also developed a self-assessment tool in relation to the Standards that has proved useful for organisations to develop their own processes for policy, practice and internal monitoring.
 11. The independence of the Commission, the knowledge, skill base and experience of its staff are factors that will ensure that monitoring and enforcing of the Child Safe Standards will be undertaken with competence and integrity.

I thank you for this opportunity to provide comment.

Yours sincerely

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Tricia Murray
Chief Executive Officer