

**SELECT COMMITTEE ON ADVOCACY FOR CHILDREN
(APPOINTMENT OF A COMMISSIONER FOR CHILDREN)**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH,
ON MONDAY, 10 NOVEMBER 2003**

SESSION 2

Members

**Hon Barbara Scott (Chairman)
Hon Jon Ford
Hon Giz Watson**

PARRY, ASSOCIATE PROFESSOR TREVOR STEWART**Director, State Child Development Centre; and****Chairman, NIFTEY WA,****examined:**

The CHAIRMAN: On behalf of the committee, Dr Parry, thank you for coming in and giving us some of your precious time. Welcome to the meeting. Please state the capacity in which you appear before the committee today.

Dr Parry: My capacity is two-fold today because of two submissions to which I was party: first, as Director of the State Child Development Centre, which is part of the Women's and Children's Health Service; and second, as Chair of the Western Australian Division of NIFTEY, the National Investment For The Early Years.

The CHAIRMAN: You have received a document entitled "Information for Witnesses". Have you read and understood it?

Dr Parry: I have.

The CHAIRMAN: These proceedings are being reported by Hansard, and a transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document referred to during the hearing for the record, and be aware that the microphones are sensitive; anything you say is being recorded.

Even though it is a private hearing, you should note that the committee may make some of all our evidence public when it reports to the Legislative Council. If the committee decides to make the evidence public, it will endeavour to first inform you of the decision. The Legislative Council may also authorise publication. You should not disclose or publish any private evidence to any other person at any time unless the committee or the Legislative Council has already publicly released the evidence. Premature publication of private evidence may constitute a contempt of Parliament, and may mean that material published or disclosed will not be subject to parliamentary privilege. Is there anything there you do not understand? I am sure there is not. The issue of private and public hearing is moot. However, it is one we need to explain.

Thank you very much for being here. Would you like to make an overarching statement about your commitment to and belief in a children's commissioner for Western Australia by way of an opening remark before taking questions.

Dr Parry: Thank you. To declare my own interest and passion as far as children are concerned, as a developmental paediatrician over many years, the wellbeing of children as a population has been a strong interest. This interest has been also with those with particular needs with developmental and other social, emotional and learning disabilities. In that capacity, I represent colleagues with similar views at the State Child Development Centre, which comprises a multi-disciplinary team within the Women's and Children's Health Service for the assessment and management of children with a range of actual or definite developmental problems. This group has strong advocacy for early intervention and the total wellbeing of children. Similarly, from the privilege I have as Chair of NIFTEY Western Australia, and also a board member of national NIFTEY, there is an advocacy compassion - I suppose I could put it - that we have in order to ensure that, in a universal way, all the needs of children and the voice of children are represented and heard. Against that background, the three organisations - we also contributed to the statement you received from the Women's and Children's Health Service - believe that it would be for the wellbeing of children services in

Western Australia if there were an office of the child or the child and young person that contained within it as spokesperson and officer a commissioner. Again, I may well be running ahead to some of your specific questions. Please stop me when appropriate.

The CHAIRMAN: That does not matter.

Dr Parry: The differentiation we would like to make from our three organisations is that, while their needs to be an advocate for the broad issues of children in Western Australia, it must be both neutral as well as comprehensive. I refer to neutral in the sense that the office and the commissioner, or its chief executive spokesperson, whatever the position might be named, needs to be neutral and totally independent from other government silos or structures. The issue that concerns many of us associated with that is that the office and its spokesperson who would have the major public advocacy voice need to be available comprehensively for all the needs of children, not solely for the specific needs of children. We would not wish to see the role of any agency or person who was representing all of the needs of children being one of pressure or of concern or lobbying and speaking solely - particularly as happened in other areas - for the issue of child protection. I will stop at that point.

The CHAIRMAN: Thank you. You have been given the questions -

Dr Parry: I might have answered them.

The CHAIRMAN: We appreciated the submission and I have had the privilege of seeing the document NIFTEY put out.

Dr Parry: I have brought some copies, if that is helpful.

The CHAIRMAN: To begin with, Dr Parry, taking into consideration your long-term consideration of this issue, you have talked about the independence of an office. Do you see the reporting mechanism or the operation of an advocate for children or children's commissioner reporting to Parliament or to an arm of government?

Dr Parry: I would hope there might be a blended mechanism there. It would be more appropriate to report to Parliament. My hesitation is that I am not certain whether for efficiency, and to have issues flowing for the best interest of the children whom the commissioner and/or the office would represent, maybe it would be preferable to have a direct line to the Premier or one of his designated persons. We would be comfortable with that as it could include a degree of inclusiveness to straddle all departments. It is important. Operational outcomes are important. That needs to be thought through in a practical sense; otherwise, as happens with roles like this - I refer to some ombudsman kind of role - a voice is provided and it may be documented in *Hansard*, but not necessarily have mechanisms to proceed into the field. I would want to have the community to have the opportunity of having the office independent and the officer able to speak to departments. It should be respected and understood, not just given polite respect. I want to see the opportunity for Parliament to be accurately and independently informed, but there should be an operational opportunity for action really. That means access to departments, but independence from those departments.

The CHAIRMAN: Thank you for that. I detect in your overview that you would not want a children's commissioner to focus on child protection and child abuse and those kinds of issues.

Dr Parry: Not solely.

The CHAIRMAN: That is a common issue raised when anybody is looking at the office of the commissioner. It is a pitfall for new officers to fall into that trap. From your background in the performance of early intervention across the spectrum of care, could you describe your vision of a commissioner not reacting just to issues like child protection in the State of Western Australia. How is your vision of a children's commissioner going to fit into the structure of government we have and have another role of being an advocate for all the things you believe in? We are very

fortunately placed at the moment in having people like yourself and Professor Fiona Stanley being Australian of the Year. We are looking at a structure that will go on; that is, it will be a long-standing one. While we have voices in the community, do you see a role for the commissioner? What is your vision of the commissioner speaking out always in perhaps a proactive way?

[3.15 pm]

Dr Parry: That depends very much on who is chosen. Safeguarded in that would need to be the principles of securing the opinions of children across all life issues. As you would be aware, we are attracted to the work Moira Rayner was able to secure in the Greater London Council. It was an interesting exercise that did not go as far as appointing a children's commission, but it was an office of the children's commission. That was an interesting concept. Begging the terminology, the principle to learn from wisely here, is the issue of independence. I think it is the issue, too, of agency collaboration. In some areas we are beginning to see that emerge in the Western Australian context that crosses the silo difficulties. I think there should be a model that is inclusive of that. That is the nature of the board that advises, and how advice is received and regularly reviewed and updated that is inclusive - in real terms not tokenism terms - of the issues of children and the voices of children. As you would know, for example, the child's view of a greater London transport system and parks and recreation and that kind of thing is broad advocacy that looks at the range of areas of quality that impact on a child and a child in the context of the family - something I wish to comment on, if I may, too - which is comprehensive and safeguarded. Although it implies protection, intervention and services and so on, it is much broader than that. It is as broad as being inclusive of local government, business, town planners, schools and preschools. I am referring to what makes up the environment of the child in the context of its family. That is what I long to see happening, in order to look creatively at how we start to design our new suburbs, for example. How do we reshape our already designed suburbs? How do we make sure there is not only safety and protection but also creativity and opportunity that is widespread, fair and supportive?

Having said that, we must make sure that there are still some very concretely do-able things. I am talking about standards that are well written and owned by all in the best interests of children and the family. They become the touchstone for looking at all the other areas. Otherwise, it is a matter of just sounding nice and becoming vague. I do not think that needs to be the case. We can be comprehensive as long as there are clear, guiding principles to which we are always cross-referencing, to both sustain wellbeing and to be creative for added wellbeing beyond what is known in 2003. It will change. I do not know if that is a response to your question.

Hon GIZ WATSON: One of the points I believe you raised was the protection of children from excessive commercial exploitation. I have an interest in that. Could you elaborate on that? How might a commissioner intersect with that? What role might it play?

Dr Parry: It is an important and potentially creative issue. It ranges from what is it that a Western Australian community might want to say and act on in respect of standards, particularly through the media - television, videos, DVDs or whatever else will emerge in the next month or two that supersedes them. I do not know that - other than through concern and lip service - we have acted on those as energetically as we might.

I am aware of the global epidemic in the western world of obesity. It has implications for the fast-food outlets for advertising of same, exercise and therefore safe parks in which to exercise, bike tracks and those kinds of interplays. That is what I meant by looking at all the areas around the principles.

Hon GIZ WATSON: Even public indemnity insurance.

Dr Parry: Indeed. It goes beyond the issues of bicycle helmets, seatbelts and even swimming pools, which are important. to the whole quality of life. Ultimately, many more people will die from the effects of obesity in childhood and those kinds of concerns. I guess that was what it

alluded to. One of our NIFTEY members raised an interesting possibility - I think it is in the report - of whether there should be a tax on confectionery. Why pick that? Why not? If that kind of issue were directed to resources for children's better needs, it might give an alert to be careful. What do we want to do with the content of Nintendo and whatever palm-held devices give strong, confusing messages about maleness and femaleness, let alone respect for people's race and the issues of violence. They are very big picture issues that are predominant in the early years - understanding what happens with neuronal connections and pathways of perception and understanding not only facts and knowledge, but also self-regulation, respect and empathy, which, in their own right, have a neuro-chemical link to health and wellbeing.

The CHAIRMAN: I thought you would pick that up.

Dr Parry: I am glad you did.

The CHAIRMAN: I remember fighting years ago for kindergarten children who were being exploited for commercialism and not allowing them to badge anything in the schools and kindergartens. That seems to have crept in. When I read it in your submission, I could see you were coming from several different aspects. That is an issue to be very careful about; namely, allowing commercial exploitation of children in schools to ensure they have only Apple computers or one type of french fry. That too is commercial exploitation, is it not?

Dr Parry: I think it is. Designer clothes issues have image as well as economic implications. The whole sports scene is one we have not begun to address; for example, gladiatorial approaches to make children the objects of their parents' pride and missed opportunity. It is enormously concerning, quite apart from the safety and damage to joints issues, counterbalanced by the benefits of creative activity, which is actually fun rather than seeking trophies.

Hon GIZ WATSON: Possibly creative rather than just competitive.

Dr Parry: I think so. Modelling classes and fashion parades are issues. Do we do well to have baby competitions? They raise questions.

The CHAIRMAN: That is a rather interesting question to ask members of Parliament. We all love kissing babies.

I am sure other members want to raise the issue of jailing children as young as 12.

Hon JON FORD: Not that particular one. Dr Parry, I was listening to your comments about the functioning of the commission. How do you envisage in practical terms that the office might work? If it became obvious to the commission that a section of children within society were suffering from a level of malnutrition over a long period, how could the office assist?

Dr Parry: I think that the office would speak to a whole lot of issues as they emerged in an advocacy role. Strong links would be necessary between the office and chief spokespersons - or whatever the structuring - with the epidemiological opportunities for information that would come up. I am thinking obviously of the Telethon Institute for Child Health Research. I hope there would be opportunities for the commissioner to be linked, for example, with the emergence of the new Australian Alliance for Children and Youth. It will be a powerful, epidemiological tool across Australia to tap into promptly monitoring of not only the old issues, but also new ones as they emerge. If that information has its rapid conduits, I imagine a process guided by a panel of experts, a board - or whatever was the best mechanism - would prioritise what we deal with, in what forum and how promptly. That would be a very appropriate thing that is quite different from saying here is a child or here is an issue that needs advocacy, which, arguably might be more appropriately dealt with by a department or an ombudsman that takes up individual's causes. It would be more helpful if the commissioner's office took up population issues. They might be triggered by individual alerting, but it would stop the energy of the office getting tied up, other than to speak for and make sure things are happening. It is the bigger picture issues, of which the one you mentioned may be one. It might be that malnutrition in some areas in this State is not being resolved and nobody

seems to be doing anything about it. An office could gather collectively those who could do something about it and alert Parliament to make sure it is put into process. I can see that being a far more useful role. Although Billy Jones and his family have individual needs, I do not see that as the most creative use of an office under the commissioner.

Hon JON FORD: Based on that, the office would require resources that would at least allow it to tap into other research, if not carry out its own detailed research.

Dr Parry: That would be very important.

Hon JON FORD: Purely in an advocacy role, it could lobby government to act through Parliament.

[3.30 pm]

Dr Parry: I think linked to that it would need to have a panel or group of consultants to get advice from. Hopefully it would be drawn multidisciplinarily so that it can be really informed. Even doing that, it would hopefully do some networking for combined and collaborative action rather than important but narrowly focused single action.

Hon JON FORD: I was interested in your comments earlier about where the office might be situated. I agree with the independence perspective of the office but I think you said it would be acceptable to be in the Department of the Premier and Cabinet. From my perspective as a backbench lobbyist, so to speak, that is where the action is. If a person is not getting something out of the ministry, he can go to the Department of the Premier and Cabinet. There could be a coordinating role. Have you thought where it might be?

Dr Parry: If I really had to make one choice rather than a multiple choice, I would plumb for Premier and Cabinet. That is where it has always been seen by us to be appropriate. I think the independence issue can be safeguarded, and the wisdom of that is twofold: one, access to Treasury and action; and two, to safeguard accountability as long as it has its own independence.

Hon JON FORD: Would it be a practical solution to have the head of the commission sitting in a chief of staff forum?

Dr Parry: Yes.

Hon JON FORD: That is getting pretty close to the Executive.

The CHAIRMAN: I would like to pursue the issue of the voice of children, which was canvassed with a lot of people. I know that Moira Rayner is very strong on this. I think we should be listening to children. The mechanisms and structures put in place are the difficulties in this area. Do you have any ideas of how we might listen to all children from conception? The previous witness was talking about how a commissioner should influence children from conception or birth. We cannot have babies saying, "Hey, we need to be vaccinated." The other thing that runs into that is that some people have suggested we should be looking at children and young people, and that young people should be classed as older than 18 years. Can you comment on that?

Dr Parry: It is very nice to say "the voice for children" and I guess we will go on saying it because we believe in it. The practicalities have to be balanced. I think hearing the voice of children can be available on a number of fronts. There can be the most obvious voice of the child anyway. From certain ages upwards that is not difficult if we have in our minds to do it in a genuine and non-patronising manner. However, the voice of children can still come from those who are the care givers and who speak on their behalf or from professionals who know. You can broaden the voice of children without it being narrowly and only concretely the specific voice of one age group. We would be speaking for children and young people. I do not mind if it is 18 or 24. I suspect the 18 to 24-year-olds might mind. I think it is children and youth. Having said that, that voice is not always able to be heard in specific terms. With the evidence we now have of the early years of life, that is the thing that this document really wants to draw the major attention to - not to detract from the

importance of a wider voice of children and youth. These are the ones who will not so easily be heard. When do you start? You get very helpful messages from children in group experience. Developmentally, children are beginning to express their views of life, and share their views of life, from the developmental age of three and a half to four years onward. In Western Australia that is very conveniently the time of K onward. I have a comfortableness about that being done, but that does not mean that I personally think we should have a four-year-old on any committee. That has all sorts of difficulties about it at a practical level. I was intrigued that Moira Rayner, with her experience, was able to have children aged seven or eight years. That seemed to work extremely well, given safeguards and so on. In all life, for all of us and for children in particular, there is the mixture of opportunity with boundaries. I just think that is a matter of how you define it. We will hear the voice of children but the voice of children will not be the dominant voice that says that is how it will be. Nor should it be that the dominant voice of a school person will necessarily be - you know, that kind of thing where it is balanced. That prompts me, if it is not digressing, that it is relevant to say that we have not as carefully defined the rights issue as may be helpful and maybe we should. I suppose what we are not saying when we align ourselves with the thinking of the United Nations document is, from my point of view, the strange extrapolation of it that would seem to be saying that children have rights that override anyone else's rights. It simply says that they also have a need to be understood and heard, for their needs to be met, and for them to be able to express their needs within the framework of their developmental understanding. Like all of us, the understanding is partial, but it does not mean that it is negated as being relevant because it is partial.

The CHAIRMAN: I think that is a very wise comment because the criticism has often been from a narrow section of the community that the convention separates the rights of children and the rights of parents and that there is a conflict. I have never seen that.

Dr Parry: We are opposed to that polarisation. I should clarify that it is never the needs, rights, wellbeing - pick a number of words - of a child out of context with a child in its context, which is predominantly family.

The CHAIRMAN: Did you want to make a comment about family? You alluded to that earlier. Have you covered it?

Dr Parry: My comment was to make sure I clarified what we meant by the rights issue. A child in a family is going to have its needs, rights and wellbeing best attended to in the early years by strong attention to the family. The earlier document that NIFTEY prepared was on the strategy for children. In that, it was predominantly speaking about those issues that would strengthen the family in supportive ways in partnership with professionals and the community for the benefits of the family and children in that family. That document is available; it lists three specific strategies that are actually under way, to briefly hint at them. We have a program called the family partnership program, which is training professionals and fieldworkers from five government departments and two not-for-profit organisations across nine disciplines who are now equipped for attentive, respectful listening that makes it possible to work in partnership with families rather than the more traditional model, which though not necessarily intended is what happens: "I am the professional, this is what I believe you should do and here is the pamphlet." You know what I mean. It is interesting that we now have about 320 people trained in the past two years with 70 on the waiting list for more training. We are training in New South Wales and South Australia. The reason for mentioning that, apart from our pleasure that it has happened because we are very excited about it, is that it is setting the scene for those who are in a range of issues and disciplines and departments to work collaboratively with the same professional attitudinal framework. It sets the scene to bring children into whatever local communities would define as what the Canadians call early years parenting development centres, and then moving on from K to 8 to a program we hope to bring in next year, which will focus on what is called emotional literacy. The program is called Roots of Empathy. The main issue is that it helps children if things have gone well - that is the flow - to achieve attachment is secure. If there are difficulties, support can be offered early before you

become targeted and segregated, if you know what I am alluding to. That carries families, and you are then able to help children learn how they can be expressive of their own feelings and be respectful of the feelings and differences of others. Where this has been operating, bullying rates dropped to zero and, according to the research, literacy and numeracy rates go into ascendancy. That feels to us like a good thing. It has an interlinked flow. That is why I thought I would just mention that flow.

Hon GIZ WATSON: I note that you suggested the agency should not be solely about dealing with complaints but also have positive innovations. Do you have any particular ideas in that area in mind?

Dr Parry: I think I have just enumerated three. However, that is not all. That is a picture of the kind of thing that gives the opportunity for an independent office looking at, and being informed of, the needs and the evidence base that could address those needs to ensure that across all sectors of government, not-for-profit organisations and businesses all hands are to the pump. This is community stuff. The challenge is to get it going in the best possible collaborative way. It is not actually expensive.

The CHAIRMAN: Any closing comments?

Dr Parry: No. Thank you for the opportunity and time.

The CHAIRMAN: We thank you very much indeed. It is wonderful you have been able to give us some time. I am sure my colleagues would appreciate a copy of the document.

Dr Parry: Yes, I have copied the original submissions.

The CHAIRMAN: Thank you very much indeed.

Committee adjourned at 3.43 pm