

**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
FRIDAY, 19 FEBRUARY 2016**

SESSION ONE

Members

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

Hearing commenced at 10.10 am

Mr COLIN PETTIT

Commissioner for Children and Young People, examined:

Ms PATRICIA HEATH

Acting Director, Policy and Research, Commissioner for Children and Young People, examined:

The CHAIR: On behalf of the Joint Standing Committee on the Commissioner for Children and Young People, thank you for your appearance before us. The purpose of our hearing is to assist the committee to review of the functions exercised by the commissioner, with particular reference to the recommendations in the review of the commissioner, 2006. At this stage, you have met Robyn McSweeney, myself and you have met Sally Talbot. I should say that Eleni Evangel will be here shortly, so do excuse her if she blusters in and interferes with everybody's concentration, but she will be here any minute. This hearing is a formal proceeding of Parliament and therefore commands the same respect given to proceedings in the house itself. Even though our committee is not asking you to provide evidence on oath or affirmation, it is important to understand that deliberate misleading is a contempt of Parliament. This is a public hearing, so Hansard is making a transcript. If you refer to any documents in evidence, it would help Hansard if you could give the full title for our record.

I have five very quick questions. Have you both completed the "Details of Witness" form?

The Witnesses: Yes.

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

The Witnesses: Yes.

The CHAIR: Did you receive the information for witnesses sheet provided with the "Details of Witness" form today?

The Witnesses: Yes.

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

The Witnesses: No.

The CHAIR: I have a few comments to make that give a bit of context, Colin. You do not mind Colin?

Mr Pettit: No, please do.

The CHAIR: That is great. I will just read a couple of paragraphs that we put together because we thought it might position our thinking a bit for you. The committee met with the Attorney General in November 2014 after the statutory review was tabled. Since that time we have been examining the implications of the proposed child abuse complaints role that forms recommendation 12 of that review. Until now we have not been able to ask a permanent commissioner their views on this role, and we are so happy that we are in a position to do that today. To help our discussion along, I think we sent you a basic outline of some of the ideas we have formed in our journey and we want to generally discuss that with you. I would like to suggest that, after this initial discussion, if you want to put thoughts on paper and give us a written response, we would more than welcome that; that would be fantastic—specifically about how you see the role developing and maybe ideas about types of resources that might be required to make the role effective. I thought it was important to mention that the role of our committee is also to make recommendations about the budget for you to

the Treasurer, so any budgetary information you provide would be of benefit to us if you could put forward that when you put any other written information to us. I just thought I would mention that in passing.

Having said all that, you have been in the job since 16 November and we have been itching to have a chat to you since then. It is so fantastic watching you start to get your hands on the role and start to unwrap it a bit, but I just wondered if you wanted to give us a bit of a breakdown on where you have been since November and then bring us up-to-date.

Mr Pettit: That would be terrific, and thanks for the introduction. I will just keep talking, so please jump in if you need to stop me; I have been criticised for that before!

Can I first of all thank you; it is a privilege to be in this role. It is an exciting role for Western Australia, and it is something that I do not think anyone should take lightly. I am really looking forward to working with a whole range of groups, but in particular this group, the Joint Standing Committee on the Commissioner for Children and Young People, because I think we need to continue to refine this role, and it needs to be refined in the best interests of every child in Western Australia. I am really keen to have not only a formal conversation but informal conversations with you beyond this time.

In doing that, I really want to acknowledge the work of Michelle Scott in establishing the office. I think whenever you establish any office it is always difficult to have the push and pull and make sure that you land somewhere where most people are comfortable, and I think she did a terrific job. That was so well supported by Jenni Perkins in the follow up. The work that has been done there is of really high class and I just want to acknowledge and have it on record that they have done that.

I also want to acknowledge that the small team we have at CCYP is a really professional and highly trained team for the roles they have been given, and I am very privileged to work with them. I just wanted that to be known. Before I answer some of the direct questions that were put on paper, some of the things that we have been trying to do since 16 November is to establish a five-year plan that we can all be confident that the role of the office will achieve a number of things over the next five years on behalf of children and young people in Western Australia. To do that, we have settled with the staff and a whole range of stakeholders on probably three guiding principles that we think are really important to follow. One, of course, under the legislation, is to make sure that whatever we do, the independence of the office is at the forefront of everything we do, and that is not about having a position that is contrary to anyone, but it is actually making sure that Parliament, in particular, but also the people of Western Australia and, more importantly, the children and young people, have confidence that any decision or any position that is taken for us or on behalf of the office remains independent. The second one is about the value of the role that we do, and that we are not seen to be duplicating what is already there, but making sure that we add value wherever we can, whether it be in government agencies or non-government agencies. The third one was around your point, Lisa, on resourcing. We want to make sure that we do not compromise the resourcing we have. It is limited, and we want to make sure it is targeted in a way that is the most effective. Those are the three drivers, if you like, that we have been pushing with all our stakeholders to say that if we are going to really engage properly, we have to make sure they are front and centre to what we do.

What have we done over the last three or four months? Apart from meeting a range of stakeholders—I have forgotten half their names, but I am going back and meeting as many I can—we have started conversations around what the real functions of the office are and how that relates to our forward planning in terms of where we want to go. I have also met with certainly all the ministers that have related portfolios and we have met with a lot of the non-government providers who have a very strong position on what they think the role of the commissioner should be, and we have taken that into a very strong guide in terms of where we want to go.

The other bit that we have been doing, as you know we have released a report into the mental health of children and young people. That report is a powerful report. It has 12 recommendations and we are going to make sure now that each of those 12 recommendations are monitored in a way that we report annually back through Parliament on where we think they are at the moment. I noticed in some previous conversations your committee had with the previous commissioner that you are very keen to see that if we do make recommendations, that we have a monitoring role. In fact, we have been very serious about taking that up, that recommendation from your committee, and so any future projects where we do make recommendations, the team will also establish a monitoring role in partnership with whoever the recommendations are aimed to, so we are not just pointing fingers; we are actually saying, “We think this is such an important thing; how is it going to be monitored over the next two, three, four or five years, and how is it going to be reported?” Our preference for most of those recommendations would be reported back through the respective annual reports, but we also know that many of the annual reports are so detailed that that information could get lost, so we will work through with agencies on that, how we think that will best be reported, but we would also want to have a conversation with the committee here as to how they see it, given that it was your recommendation.

They are some of the things we are doing. We also released, just prior to my coming on board, the ATSI report on 1 200 children and young people. We are now very keen to explore the next stages of those reports, and I will go into more detail on that later in my presentation.

That is just a quick snapshot; I have much more detail that I am more than happy to go through. If we do not get time, as I say, I am more than happy to come back and talk to the committee, formally or informally.

[10.20 am]

The CHAIR: I just have one question, Colin, before you continue. Our next question is about what priorities you think you are going to be working on. To kick that off a bit, and it is probably the same as what you are going to tell us, but I am really interested in the process that you have put in place to do your five-year plan. You have had a number of stakeholders in. Do you think you have covered the whole field? How has that been? What is the process? What is the journey you are on and what is the completion date? When will you release the five-year plan for the office?

Mr Pettit: It is all the questions we have been asking ourselves. How many people can we get to and have a conversation with? We have certainly started with our own workforce. We had a long conversation about all the projects they have run since the inception of the office, but also around what are the driving issues for children and young people that they have told us over, particularly, the last two or three years. So, we started at that base and we formed up pretty much some dot point discussion points. We have then taken that to our ambassador group. We have asked them to take it to their respective groups. And we have also gone to a range of key stakeholders. I have certainly gone to the ministers and had the conversation. I have not had the opportunity—we had a lunch, I think, planned at one stage and I was hoping to pick your brains there, but we will certainly come back to this group. We are refining it each time we get information back. But there are some pretty key areas that the legislation obviously directs us to. They are around valuing and promoting the voice of young people. We have got some really, I think, exciting opportunities for that to happen. Some of our projects are going to be quite substantial in the numbers that we will reach into the future, but that comes at a cost. The second one is about monitoring and advocating for children and young people—certainly, monitoring a whole range of not just the recommendations that we put out, but monitoring services that young people receive and how they perceive those services and where they think the gaps are. We have a number of projects we have already started, again, which I will go to into more detail. The third area, in lining up with the legislation, was making sure that the disadvantaged and the vulnerable, in particular, Aboriginal children and young people, are really looked at in perhaps a different light. Obviously, you would have all seen the Closing the Gap

report, which does show up that—irrespective of how much energy and money that has gone into that space, we do not seem to be making a difference. So, we are very keen to have a serious look at how we can support not only agencies in government and others, but how do we actually support young people to take control over that agenda. So, that is one of the areas that we will be looking at. Again, we have got some ideas that we have had feedback from a whole range of groups, including the ATSI report last year, on the appointment of an Aboriginal person, for example, which we will go through. You have asked a question about our staff and we will go through how we —

Hon SALLY TALBOT: I am sorry—appointments in CCYP?

Mr Pettit: In CCYP, but we are also appointing—so there will be an appointment—unfortunately, the freeze has held us up, and I can go into detail on that, but we have certainly started a process to appoint an Aboriginal engagement officer into a role at CCYP. I have also had —

Hon SALLY TALBOT: So, with a particular focus on Aboriginal communities?

Mr Pettit: With a total focus on Aboriginal engagement; so, engagement in our speaking: how do we engage children and young people and the community back with our work, but equally how does our work influence some of the things they are thinking of. That person will be the conduit for my office to the broader community. Now, one person alone cannot do that. We are also looking at an Aboriginal advisory committee that we will probably form in the later half of this year; and, again, we are talking to a range of senior Aboriginal people about how that would look and how we would engage young people on that committee, but also engage some fairly significant players in the Aboriginal community to really support us to find ways to improve communication and also improve activity in that space.

Hon SALLY TALBOT: Are you using your ambassadors?

Mr Pettit: Yes, we have a number of ambassadors. We have 12 ambassadors, of which four are of Aboriginal background themselves and are very respected Aboriginal people in this community, and they are very keen to support us to develop an Aboriginal advisory committee, specifically on Aboriginal issues. So, that was just another way of us trying to connect with what children and young people in the ATSI report had said about having mentors in their community that they could look up, that they could support et cetera.

The CHAIR: Colin, before you continue on that—that all sounds fantastic; we were in Victoria speaking with the Victorian about-to-depart commissioner and met Andrew Jackomos there, and I am sure what has happened in Victoria and why it happened in Victoria—different place, different jurisdiction; I understand that, but it is really interesting. I found it fascinating looking at the work they were doing and how he managed to tread a very tenuous line or balancing act between threatening the people who were in child protection there and actually drilling down and finding out what the issues were for the Aboriginal kids who were in care. I found that very enlightening, listening to him. I do not know what my other committee members felt.

Hon SALLY TALBOT: It was a real highlight.

Mr Pettit: Andrew is a force.

The CHAIR: He is.

Mr Pettit: And he is a force that we can use as well, so that I think is a really positive thing. Given our resourcing position and the position of previous governments and this government, our best entrance step is to look at an engagement officer that we can really start to build bridges with. It will only be the first step, and that is why we need a five-year plan that says: where do we go to next?

The CHAIR: There is no appetite in the department over here, or any of the departments, to second someone in to work on a project with you?

Mr Pettit: Absolutely, and that is one of the other things we are looking at. There are a number of departments that, as you know, are doing some fantastic work in that space, but it is about how do we connect it so it is not just —

The CHAIR: On a limb!

Mr Pettit: — on a limb. So, yes, we are talking to them, in effect. Again, I go back to Jenni Perkins and the reason I wanted to make sure that she was acknowledged. The ATSI report was the first time that I think—certainly from what I have been told—where all the senior leaders of all the government agencies were in one room talking about that issue from the point of view of children and young people. It does show that there is a commitment across government to do things differently; it is about how we link them to make sure about that. I see our role as being that conduit to make sure we continue to have them talk and continue to work together. So, we are really keen for that to happen. Moving on, if I may?

The CHAIR: Go ahead. Oh, can you tell me when the five-year plan will be ready?

Mr Pettit: I am sorry, I did not go through that. Yes, so we are still going in and out to various stakeholders to get information, refining the document—there is a document that is in its probably fifth or eighth generation—and we will continue to do so. We are hopeful that we will probably get to this by the end of April when we will be settled, because as I have said to the group: we can talk about this for a long time, but I actually want to get in and do things, as does our group.

Hon SALLY TALBOT: You can have a five-year plan for a five-year plan!

Mr Pettit: I have seen many like that before. We are hopeful that this will be out in April, but again we want to make sure we cover off all the stakeholders first, before we get there.

The CHAIR: So, Colin, would you like to take us through your comments in relation to the three areas that we are thinking of reporting on.

Mr Pettit: Yes.

The CHAIR: You understand that the report is still wide open and flexible and there is nothing consolidated about it yet, so these are just where we think we are at. I invite you to go ahead with that—that would be super.

[10.30 am]

Mr Pettit: That is terrific because I think the three dot points are covered—not solely, but certainly starting to be covered. Like you, there are a range of concerns, not the least of course is the Blaxell report and also the Royal Commission into Institutional Responses to Child Sexual Abuse. There are some drivers here that we have been looking at as an organisation. We have been supported and also asked, or sought, if you like, from a range of both government and non-government agencies to help them understand where this is heading into the future. Your three dot points, we are certainly pretty keen on, and I would like to maybe explore in more detail down the track. But certainly your statement about the role could have a focus on capacity building rather than compliance and would operate in conjunction with the commission's education, outreach, information and referral work. I think it is probably key to the work that we are doing under child-safe organisations. I just want to spend a little bit of time on that, if I may.

The CHAIR: Yes, please.

Mr Pettit: We do have a document which we will give you at the end which will give you a more detailed summary of my commentary, if that is okay.

The CHAIR: Thank you.

Mr Pettit: The child-safe organisations project, as you know, has been around for a little while. The CCYP office has taken a lead role in this. It is a lead role in terms of its development in partnership with New South Wales, but also with the royal commission itself. We have been liaising

very closely with the royal commission about its findings and its interim positions et cetera. The policy team of the royal commission have been working with us, and again will be working with us next month, I think, to further refine the work that we are doing in the child safe space on behalf of Western Australian children and young people. Equally, it is about: how do we support organisations to do that? We have partnered up with a whole range of government and non-government agencies—groups like Wanslea and the YMCA. There are a whole range of those groups. We can get you the list, if you would like. They have partnered us to start to develop a child-safe organisation approach, which includes your three dot points, which is the education and information. It includes: how do you then further develop that into a system approach and also then how do you monitor it? We think there are roles for each of the organisations to get involved with that.

In March, we will release a series of resources to the agencies. They will be listed in around nine domains. Those nine domains have been agreed to by not only New South Wales and ourselves, but also the royal commission. We will go through those nine domains for you in a moment. The nine domains of child-safe organisations provide a framework for agencies—when I say “agencies”, government and non-government—that create conditions to reduce the likelihood of harm; create conditions that increase the likelihood of any harm being discovered; and respond appropriately to any disclosures, allegations or suspicions of harm. That is its prime aim at the moment. We want to make sure that, critical to this work, we empower children and young people. In doing so, we are going to develop resources for them in particular; predominantly web based but, depending on each agency, they will actually explore further how they will use some of that information down the track.

The child-safe organisation will in part fulfil the second recommendation of the special inquiry into St Andrew’s in that it will cover off how we can ensure children understand where they can make a complaint to in a safe and supported way. I have recently contacted the key stakeholders to establish a process of clarifying roles. It seems this decision around recommendation 2 has been bubbling for too long, and I think it is time we actually do some work on it. I use the royal we here; through Trish we have invited a whole range of stakeholders to several meetings. We are going to have a look at what they currently do, how we can record that, how it can be then used in a much more communicative way to the general public, but in particular children and young people, and where are the gaps. And, then, where the gaps are, how do we actually make that happen? Of course, this has to be done in partnership particularly with the Ombudsman, and at some point very soon—we want to make sure this work is done fairly quickly—we will make recommendations back to the Attorney General on how we think that collective group can make sure recommendation 2 is actioned. We sent a discussion paper out for that group. It has several elements to it. Basically, we are asking them to look at prevention, reporting and management of child —

Hon SALLY TALBOT: Do you mind recapping? Is this the group that consists of Wanslea, YMCA et cetera?

Mr Pettit: No; my apologies —

Hon SALLY TALBOT: You just lost me slightly in the process.

Mr Pettit: Yes; my apologies. We have gone to all the key stakeholders of government agencies—Education, Health, Mental Health, the Ombudsman and the CCC. I am sure I have missed one more.

Hon SALLY TALBOT: Child Protection?

Mr Pettit: Child Protection; of course. We have gone to those as one group. We have then gone to a range of not for profits who are in that space of child protection so that we get their views.

Hon SALLY TALBOT: Did you have Communities on that list because Communities —

Mr Pettit: Yes, Communities is on that list.

Hon SALLY TALBOT: Because Communities runs childcare centres.

Mr Pettit: Sorry; I just have not got the list in front of me.

Hon SALLY TALBOT: That is all right.

Mr Pettit: We have got a series of meetings with these groups to have a look at what current services are available, what they think they do, where it fits in with some research that we have been doing, where are the gaps and how does that apply to recommendation 2. Then, how are we collectively going to make this work? We think the Ombudsman would lead a fair chunk of this work, but as, I suppose, the facilitator, we need to make sure that we are comfortable.

Hon SALLY TALBOT: So, it is CCYP that is facilitating this discussion.

Mr Pettit: Yes, we are facilitating it

The CHAIR: When are you starting to hold the meetings?

Mr Pettit: That will be in the next week or two.

Ms Heath: In the next couple of weeks.

Mr Pettit: Yes.

The CHAIR: How long do you envisage it going for?

Mr Pettit: Not very long at all. As I said, the report has been on the table for a long time. We actually need to get this result. The answers are across agencies and across non-government agencies. We need to collate it. Where there is a gap, I think there is a real discussion about: how is that gap going to be filled? I am not suggesting that is a resourcing issue, although that may be down the track; this is more about who is not doing it or who is doing it, and how can we make sure it is being done well. Then we need to turn back to the children and young people and ask: is this what you are seeing?

Hon SALLY TALBOT: I think it might be helpful for us just to keep abreast of the process—if you could give us a copy of what that background document was that you sent, even if we keep it private.

Mr Pettit: Absolutely.

Hon SALLY TALBOT: That would be useful.

Mr Pettit: We are more than happy to share it.

Hon SALLY TALBOT: That would be great. Then that can inform our discussions with you as you go on.

Mr Pettit: As you can imagine, it is really a catalyst document to have the conversation to say that we just have to get this fixed.

Hon SALLY TALBOT: I am asking for a very particular reason. When we had Communities in here last year—was it a public hearing?

The CHAIR: Yes.

Hon SALLY TALBOT: I had to check that; otherwise they have to shoot me!

We asked them how they were keeping track of people's compliance with the regulations and they said people self-monitor. We asked how that could possibly be acceptable. They said, "Oh, they're all reputable organisations." What you are saying is very, very encouraging, that we are changing those practices.

Mr Pettit: One of the conversations that we have got with them is, first of all, how do they monitor, and then look at again where the shortfalls are and then who should fill that space. We believe at

this point the Ombudsman is positioned to do that work. The Ombudsman is very keen to fill that space and we are very keen to support in any way we can. Our role with the Ombudsman then will be to make sure that what is being said is being done is being done.

Hon SALLY TALBOT: Please stop me if I am hijacking things: have you had a chance to talk to Peter Blaxell?

Mr Pettit: I have a meeting with Peter—unfortunately, we had a meeting cancelled in January, but I do have another one scheduled.

Hon SALLY TALBOT: It was a long journey to get to that set of recommendations. It is very interesting.

Mr Pettit: Yes. I have certainly read everything that Peter has said publicly and to the committee.

Hon SALLY TALBOT: Particularly as you are putting an emphasis on the Ombudsman's role, that is crucial.

[10.40 am]

Mr Pettit: Yes. That paper will come to you with a number of recommendations—that we really want to challenge each of the groups—so I will not go through all the recommendations. So going to your three points around education and outreach, first of all. The CSO project: we are currently developing a range of resources for a range of organisations, but also children and young people, that will be available online. How we then promote it is always a challenge for all organisations and we will be doing it both internally but also externally through our partners. We would certainly agree with you that we do have an education and outreach opportunity here. It is already within the remit of the legislation for it to happen, and it is a role that we certainly want to take up within the existing resources, so those three values or dot points that I raised at the beginning around resourcing will always be at the forefront.

In terms of the second dot point—sorry, just on education and outreach, one of the things we have to be careful of is that we do not assume the role of the agencies' responsibility. Many of the agencies already have very strong resources—and, in fact, Education is talking to you later today. Some of their resources at the moment are terrific.

The CHAIR: But they do not know who is taking it up.

Mr Pettit: That is something that we would want to ask the education department, and that is one of the conversations we will have: how will they know when it is taken up.

The CHAIR: That would be very helpful.

Mr Pettit: If it is important to do the rollout, then it will be important to know how it is being done. Again, we would prefer that to be reported back through their annual report, but if that becomes lost in translation, then we would have a look at how we would report it.

Hon ROBYN McSWEENEY: This has always been one area that I have been extremely interested in. When I was Minister for Child Protection, I found that there were some resources but they were not targeted to schools where they needed to be. We have had Education in here and they have talked about resources, and I certainly was not very impressed with the resources that they did have, because it was not getting out there. That is where our committee decided that it would be a really good process if the children's commissioner could take responsibility for that. So you are not actually taking over from the agencies, but you are actually seeing what is out there and improving what is out there at a child level, because there might be good resources for children in years 1 and 2, but there is not in year 7 and there is certainly not for the older children, and it is for the younger ones where we really need it.

Mr Pettit: This is the balance that the office will always have to have, the amount of resources we have to accredit, if you like, which I think, from what you are saying, is almost a form of

accreditation of projects or programs. Having enough resources to get the expertise to do that work is always difficult, but certainly the expertise has been in the education department. The question I see myself asking the education department is how they can guarantee that it is best practice. I am led to believe the current rollout of information, particularly online—and I have had conversations at both the Education level and also at the Curriculum Council, they are both very confident that this latest round of resource is of best practice they can get. So, we will be monitoring, first of all, how they are getting that into schools, and every school; and, secondly, will it remain at a standard that we want. So, we are going to have to have that balance about our resources, whether our resources can match that monitoring or not, and it will always be a challenge for us.

The CHAIR: In that mix, Colin, you are probably meeting with ed services, but the Education Services people, I think from my perspective, absolutely understand the agenda; they absolutely get it. We have got a much better response from them when we have spoken to them and when they have put submissions in than we have from any of the other places you have just mentioned, so I encourage you to talk with ed services as well.

Mr Pettit: Can I concur with that. Ed services are part of the group that are on the ChildSafe organisation, and have been really willing partners to try to support particularly their groups around Catholic and independent schools, and so we have been really pleased with the work that they have done. I certainly agree with you.

Hon ROBYN McSWEENEY: If I can just say, that we, this committee, have absolutely been the catalyst to get them moving, and so it is really good that you are taking it on board. I do not see you as doing the work, but you as the children's commissioner can go to a school and say, "This isn't in here", and they will take notice. On that, that is where I see your strength as being.

Mr Pettit: Thank you. The information delivery and program referral—again, we agree that is a role that within legislation we can currently do, and we are doing that particularly through the ChildSafe organisation program. One of the things that we are really trying to tackle is how do we engage parents in this process, because the focus of the office has been terrific to date around children and young people, but, as you know, one of the functions, or one of the key principles of the legislation, is to make sure that parents and caregivers are the primary responsible officers or people of children and young people. So, that, by default, means that we have to connect with those parents of young people. We are running a project this year on education, which, if I get time, I would love to speak to you about. That is the first one that we were going to put our toe in the water of: how do we get the sense of what parents think and how do we keep parents engaged? In terms of information, we will put as much as we can online, and we know that for those engaged parents that will connect them. It is how do we connect others, and that is where we are going to rely on our partners to do that work. But we certainly think there is a role for us to do that in terms of how that can work out.

In terms of how do we disclose or report child abuse, as I have said before, we will have this meeting. We are going to support all the agencies to be engaged and we will have that discussion where we do not want to duplicate their functions already, but we also want to make sure that we are confident as an office but also as a state that what they say they are doing they are doing. So we will be looking at that.

Ms E. EVANGEL: Going back to engaging with the parents, in what ways are you thinking of doing that?

Mr Pettit: It is a toe in the water this time. I will jump to the education project that we are doing this year because that is the first time that we are really going to get involved with parents in this way. The education project, we are aiming to have a look at what do children and young people think keeps them engaged in schooling, and then by default that actually says that if that keeps them engaged, then what does not keep them engaged. We are looking at interviewing at least 4 000 children from Albany through to Kununurra on a corrected random sample. We think that

will take us and our office almost six months to achieve if we are going to do that properly. But we also think that there might be opportunities within that space, when we go to schools, to engage the parents. So, we are looking at both an online opportunity for parents, but we know once we do that, large numbers do not complete online surveys. I am as guilty of that as anyone else. So, we are looking at other ways of maybe engaging random selected numbers of parents at schools while we are there. The cost will have to be looked at here because it will add a layer of burden; we could not have 4 000 parents, for example. But we may be able to get a sample of 4 000 children and young people—their parents—to give us a triangulation of children and young people saying this about what keeps them engaged, what do parents think, and then see how that engages. We have already done a literature review; we will map that against that. We have spoken to both the Department of Education and also Catholic Education. I am meeting with the independents next week to do this. But certainly both the department and Catholic Education are keen to provide their information as well about what they see as engagement. Once we get the whole suite of information, then it is about writing a report and seeing what changes we can make from a child or young person's perspective in terms of their educational engagement.

We expect that this will spill into a whole range of other things, around disability, Aboriginality, CARE schools et cetera that we will have to do further work on beyond this project. So, this is the starting bit around education. That is one of the things that we are really keen to do now, is not have very short-term projects totally, but have some very longer term projects that we know will create a debate to stimulate change in culture to move the agenda forward for children and young people.

[10.50 am]

Hon SALLY TALBOT: I have two questions. When you talk about a corrected representational sample, will you focus on children who are at risk or needy?

Mr Pettit: The random sample will be as pure as we can make a random sample, so the bell curve, and the 4 000 will come from there—city, country —

Hon SALLY TALBOT: So it will be right across the school?

Mr Pettit: — right across the school. However, we are very mindful that in a stratified sample like that, the vulnerable children are a minority, and pockets of vulnerable children are minorities of minorities. Disabled children, for example, are a minority of that total 586 000 children and young people in this state. So, we are looking, as an addition to this project or as part of this project, specifically at special types of education, like CARE schools, like schools for disability, like special Aboriginal schools, or if they are alternate schools. We are trying to get a position that we are not going to miss the vulnerable children.

Hon SALLY TALBOT: I am just interested, because when you described the overall function of the office, you made a particular point—with which I think we would all agree is a necessary one—about those vulnerable children being a particular focus. So, in your overall random study, are you going to have to do a separate study to look at this?

Mr Pettit: They will be in the total, yes.

Ms Heath: We are working on this at the moment, and the commissioner, we have not quite briefed him yet on these things, so maybe if I can jump in at this point. A statistically good sample of school students would be about, I think, 1 050. But in order to break that down into subgroups, you need a much more inflated sample to be able to report on our disadvantaged groups, like Aboriginal kids and kids with disability. So, what we are currently doing is looking at what that number will actually be. The intent is to try and get a much bigger sample. But we are just working it out now. As Colin said, the 4 000 was initially a one per cent sample of the school population. Whether we need to go that far, we are going to have to work that out, because we do not want to invest a lot of resources when it does not actually add anything statistically—any validity—to the outcome.

Hon SALLY TALBOT: Yes, because one of the things about the more advantaged children in the education system is that the more advantaged they are, the more they are feeding back to you anyway.

Ms Heath: Yes; that is right.

Hon SALLY TALBOT: It is not hard to go into Christ Church and see them. The second part of my question was: will that survey include a mechanism for getting to the children who are disengaged—completely disengaged—like the kids who are living on the train line?

Mr Pettit: Yes. In fact, we have met with some not-for-profit groups who look after homeless children, for example, and we have had discussions with them about would they engage with us, almost as an agent for us, to collect that data, and they are more than happy to do that.

Ms Heath: And the advisory committees.

Mr Pettit: And the advisory committees. We have two advisory committees, one at North Albany Senior High School and one out at Swan View Senior High School. The Swan View Senior High School one is made up of three programs—their counsellors, their Follow the Dream group, and their Clontarf group. They are also going to help get out to a number of children and young people to have that conversation. Although the office will do the bulk of the work, we are going to engage a range of mentors. We have a project being released next week on culturally and linguistically diverse children and young people. We used mentors to collect that information, and it was really a powerful process to have younger people talk to younger people about their issues. So we want to make sure that we do not lose that opportunity.

Hon ROBYN McSWEENEY: I was at North Albany high school the day after you were there, and I had a meeting with Sharon, and she was very excited, and I met some of the young people who are on that committee. I think there are 22 of them —

Mr Pettit: There are.

Hon ROBYN McSWEENEY: — they are very excited to be involved in it.

Mr Pettit: And such a talented group, too. I mean, they are all talented, but they are very, very excited and have some great ideas already. We have got a team going down there in a couple of weeks to work them through the process and develop their leadership skills, and then work from that point, which we are really excited about.

Hon ROBYN McSWEENEY: Just for your information, I chair the Rural and Remote Education Advisory Council for Western Australia, and there is a CEO there, Mia Betjeman, who is very good and she is very much across all the services.

Mr Pettit: Okay. We will certainly tackle that, for sure.

The CHAIR: Before you go on, I have a comment to make as well in relation to the discussion. I have been sitting quietly listening to the vulnerable group discussions. You have not mentioned GLBTI children, and that is a concern to me. They are under a great deal of attack —

Mr Pettit: They are.

The CHAIR: — through the Safe Schools program, and it is quite a well-coordinated attack. So it would be good to hear how you intend to include that very large group of kids, so we believe. I also want to say I am glad to hear that you are thinking of kind of subcontracting or alliancing, because we went and met Dave Vicary again—from the other side of the world now—who used to run the department for children, probably when you were around, so you would remember that.

Mr Pettit: Yes, he did.

The CHAIR: I was running WACOSS, and he contracted us to develop a methodology to consult with young kids. WACOSS rolled that out in conjunction with his office at time.

Then, subsequently, in the parliamentary role with the education and health committee, when I was on that formerly, we contracted with Millennium Kids to consult specifically with children on a particular issue—it was drugs and alcohol—and that was a very good and fruitful way of going. I think you have got a great deal to offer in that whole area. Would you talk to me about the GLBTI group, please?

Mr Pettit: The LGBTI group are central to all of our conversations. As I said before, there are a lot of smaller groups. That group has actually grown publicly, anyway—it has always been there, but it has been growing publicly. You are right. It is under attack, and it need not be. The Safe Schools program is a fantastic program, and I certainly support that well and truly and, in fact, in a previous life implemented it in the education system. So I am very much aware of the needs and challenges for our LGTBI children and young people, and we need support them as much as possible. There are a range of other groups that we need to make sure we have a look at as well. So, they are not lost, and I apologise if I missed one or two of them.

The CHAIR: That is fine; carry on. That is great.

Mr Pettit: We have certainly got them.

In terms of the fact sheets, we think that is a great idea. We are producing a number of fact sheets, and that will go up online, and we will support, certainly, agencies to use those as much as possible. The monitoring and oversight section is the bit where we want the agencies coming together to have a look at how we can do this in a way that is logical and maybe does not need more resourcing; it just needs a better way of actually thinking about how do we do this. So we are certainly in partnership with the Ombudsman, and I notice you have mentioned the Ombudsman there. We are very keen to support this role, and we are very keen to be a key element to it. But of course within the resourcing structure that we have, there is no way we could take on this role and do it justice in the way I think you may be thinking. What we need to do is make sure from this meeting, we will probably come back to you as a group and say this is what is happening—obviously, we need to report back to the Attorney General—and see how that matches up with particularly recommendation 2, and make sure that we can do that justice enough to make it meaningful for children and young people. All of those things we are fairly confident we have the legislative power already to manage. It is about trying to work with other agencies, to not overstep their remit but to ensure that their remit is delivered in the way that it was intended. So, we will be doing a fair bit of that work.

The CHAIR: Thank you. You mentioned that you would be giving the Attorney General some recommendations about how you might move forward.

Mr Pettit: Yes.

The CHAIR: I think my committee would be very interested in what they will be. So if you could send us something before that—or, if not, at the same time—so that we know what the Attorney will be told, that would be great.

[11.00 am]

Mr Pettit: Absolutely. Certainly, I would like to keep the committee informed of the outcome of the meetings anyway because of your keen interest in this particular area. We would try to give you as much of the information as possible that will hopefully help shape whatever decisions you need to make into the future.

Hon ROBYN McSWEENEY: Can I just say that with the child safe practice guidelines, I think last year, Jenni Perkins put out a booklet on that. I personally was not very impressed with that booklet. It was a good start, but I did not think it went far enough; it did not have any meat to it. So, if you were going to put out child safe information or child safe practice guidelines, it would need to be a little more beefed up than that was. I am sure you will see it when you read it. It was probably done very quickly.

Ms Heath: Was that the report of the consultation with children and young people?

Hon ROBYN McSWEENEY: No; that was very good. This was just a little booklet or a little book on child safe organisations, I think. I do not have it here, but I remember looking at it last year. It was done very quickly. It was a good start. I am not being totally critical; I am just saying that if you were going to put one out, you would need to do it a lot differently from what you did with that one. This is a Victorian one.

Mr Pettit: What may help you is the summary that I talked about earlier on being child safe. Obviously, as time goes by, we are getting better and better, with more information et cetera. The work we are doing with New South Wales has been terrific. I think you will find that each time we put something out, it will improve to the point that it needs to. I have got copies of those to leave with you.

The CHAIR: Thank you, Colin.

Hon ROBYN McSWEENEY: And I have great faith that it will be.

Mr Pettit: I hope so.

Ms E. EVANGEL: You did mention homelessness in your five-year plan. I am just wondering: are you intending in your five-year plan to have a specific look at child homelessness? When we are talking about homelessness, there is that vulnerable group, like the couch-surfing group. I am just hoping that there might be some work on the horizon as to looking at that group of children still, because there are many under the age of 18. Is there any way that we can intervene and perhaps offer strategies or assistance to prevent a lifetime of homelessness? It is that vulnerable group between the ages of 13 and 18, where children obviously have come from unsafe environments which they are fleeing. There is a period of time when you see a group and they are hopping from place to place and then, unfortunately, in many cases, they end up on the streets. That is an area of personal concern for me. I am hoping that part of your scope of work might be looking at that in more detail and offering suggestions.

Mr Pettit: Certainly, as part of the vulnerable group —

Ms E. EVANGEL: Yes, that is right; exactly. They do make up that section of that vulnerable group, yes.

Mr Pettit: Just so you are aware, one of the issues that was raised at the regional visit I conducted last week was homelessness in regional areas, which has not been seen before, so it is an area that we are very mindful of. Certainly, in terms of the education project, we want to make sure we target those children who are homeless because they are also those who drop out of school. They do not go to school predominantly and therefore they become an issue for themselves and the community as they age in terms of uneducated and unemployed. We need to try to help break that cycle. It will not be a bit of work, unfortunately, that we will be doing immediately, but it is certainly on the radar.

Ms E. EVANGEL: Within the five years?

Mr Pettit: Certainly within the five years, yes.

The CHAIR: I have a couple of questions, Colin. I am mindful of the time. I think you are a bit over time with us now.

Mr Pettit: My apologies.

The CHAIR: It is not your fault. We are just glad to meet with you. I have a couple of questions and I want to get a response from you. One is easier than the other one, so I will go with the easy one first! I am sure you know that on 1 January this year, the Victorians introduced child safe standards, which are mandated now; they are compulsory for all organisations. I think the Victorian

children's commissioner was pretty integral in getting that legislation up and running. Have you got an opinion about that? Is that somewhere you think it is possible we could go in the future?

Mr Pettit: Certainly, under the child safe organisations, we think there are some standards that need to come on board, but I think you need to do some training first. What I have noticed before is where you apply standards under a legislative framework, for example, they become of a compliance nature rather than a cultural change. So, I think in time they need to be legislated, but I think we need to be clever about how we change the culture of every organisation to be child safe first and then apply it, so that the very few outriders are picked up rather than picking up everyone at the one time.

The CHAIR: The other question is perhaps a little bit more complicated and you might not have had a chance to have an opinion about this yet. In the past, our children's commissioners have felt free to publish newspaper articles in public comment about particular issues that arise, and there have been some really good ones over the years that have come out. I read with a smile on my face—some of my colleagues might not agree with this—that Professor Gillian Triggs and the National Children's Commissioner had put out a joint media release earlier this week about the plebiscite and the attempt to waive the human rights legislation while a plebiscite was held on marriage equality. It is just an instance of the first time I have seen the National Children's Commissioner publicly say anything. I kind of smiled and thought, "Good on you." That is a personal commitment position, not necessarily my committee's. I wondered whether you had had a chance to think about will you be using your position to put some opinions out there that engage the public more in the debate.

Mr Pettit: The short answer is yes. Obviously, having just entered the role, I want to make sure that we are picking the right issues to put out to start with. Certainly, when we released the mental health report, I put an opinion piece out there, and that was deliberate because I did not want the media to skew the whole thing. So we will certainly be doing that.

The CHAIR: You just open the paper this week at the 11-year-old and think —

Mr Pettit: It is a tragedy on all levels.

The CHAIR: It is a huge tragedy. Do we have any more questions, my intrepid committee?

Hon SALLY TALBOT: No, but I reckon we could go for another half a day, so perhaps we will just schedule that in!

The CHAIR: Is there anything that you wanted to ask us, Colin?

Mr Pettit: No. I think we have got most things covered. I have got the staffing list that was required. You will see that we have put some riders in there. With the Aboriginal position that we are trying to recruit, we have actually gone through the process, but we are held up now by the freeze. We have asked for an exemption because it is a special case, but we are waiting on an outcome of that, but I understand that government needs to do what it does.

The CHAIR: You are aware that we are in the process of drafting our report now. We have a few more hearings to run, but then we will be bunkered down writing, basically—well, these guys will be; we will be editing and putting strategy into it too, I am sure. If there is anything else that occurs to you that you want to write to us on or if you want to have another appearance formally before the committee or, indeed, just an informal lunch or something, we are happy to do that, so please let us know.

Mr Pettit: That would be great.

The CHAIR: I do not know, but hopefully I can speak for my committee in saying, firstly, thank God you are here. I am not being disparaging about the previous commissioner at all, but just thank goodness we have a permanent commissioner. The committee has been very, very critical of a lag and so we are very pleased to welcome you into the job. If what you have said this morning is

reflective of what you actually are going to deliver, I think our committee will be very pleased to work with you over the coming period.

Ms E. EVANGEL: It was worth the wait.

Mr Pettit: I am looking forward to working with you.

[11.10 am]

The CHAIR: I have to say goodbye formally.

Mr Pettit: Can I add just one bit? Thank you for those comments. We can make a difference and we will make a difference. If it is all right with the committee, what we might do is just give you a dot point summary of the projects we have running at the moment so that you are aware of some of those things, because I think there are some very exciting things that our office is doing, not the least of which is the release of the CALD documents next month. We will get them to you as quickly as we can.

The CHAIR: Great. One point that I did want to mention to you just before I read the closing statement is that we have had some conversations, formally and informally, with a number of your champions and your ambassadors, I think you call them, over the time and there has been a feeling from some that they are a bit underutilised, so do not be shy.

Mr Pettit: I am actually having personal conversations with each one of them about how they can get engaged. They have a wealth of ideas.

The CHAIR: Very good. Thank you for your evidence before our committee. A transcript will be forwarded for correction of minor errors. You have to return any errors within 10 days of the letter attached to the transcript; if not, we will deem it correct. New material cannot be added and the sense of your evidence cannot be altered. If you want to put in additional information and elaborate on particular points, just call it a supplementary submission to the committee. Thank you very much indeed.

Mr Pettit: Thank you for your time.

Hearing concluded at 11.11 am
