



**SECOND SESSION OF THE THIRTY-SIXTH PARLIAMENT**

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

**PROPOSAL TO TRAVEL**

Presented by Hon Barbara Scott MLC (Chairman)

Report 1  
December 2003

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

### **Date first appointed:**

June 11 2003

### **Terms of Reference:**

That a select committee of three members be appointed to inquire into and report on -

- (1) The appointment of a commissioner for children or the establishment of an independent office for children as the most appropriate means of establishing an advocate for children to enable better government for children and to ensure government and Parliament are aware of the needs of children.
- (2) The responsibilities and duties of such a commission or office. This investigation should include but need not be limited to an examination of -
  - Developing an appropriate advocate for children in the heart of government;
  - Legislative and policy impact statements for children;
  - An advocacy function for children;
  - Coordination across government agencies affecting children;
  - Ensuring that child participation is basic to the functioning of the commission/office and to the development of public policy;
  - Developing and benchmarking a strategy for children;
  - Investigating complaints and reporting on maladministration of government;
  - The physical and mental health of children, including the importance of sport and play in child development and litigious and industrial issues restricting these, the role of television, videos and computers, time spent in childcare, immunisation rates, services for disabled children;
  - Research relevant to children and its relevance to the development of public policy;
  - The impact of the justice system on children;
  - The transport system and its relevance to children's needs;
  - The staffing and budget for this commission/office;
  - Any other matters that impact on the good growth and development of young children.; and
  - The impacts of government and industry policy on the wellbeing of children.
- (3) The committee has power to send for persons, papers and records and to travel from place to place.
- (4) The committee report to the House not later than 30 June 2004 and if the House do then stand adjourned, the committee to deliver its report to the President, who shall cause the same to be printed by authority of this order.

### **Members as at the time of this inquiry:**

Hon Barbara Scott MLC

Hon Jon Ford MLC

Hon Giz Watson MLC

### **Staff as at the time of this inquiry:**

Jan Paniperis, Senior Committee Clerk

Anne Turner, Advisory Officer (Legal)

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**1 REFERENCE AND PROCEDURE**

- 1.1 On June 11 2003, the Legislative Council passed a motion to establish a Select Committee to investigate and recommend on the appointment of a Commissioner for Children. Term of reference number 3 states that “*The committee has power to send for persons, papers and records and to travel from place to place.*”

**2 NATURE AND PURPOSE OF PROPOSED TRAVEL**

- 2.1 On September 15 2003, the Select Committee resolved to travel to Queensland, Tasmania, New South Wales and New Zealand to meet with those jurisdictions’ respective Commissioners for Children.
- 2.2 The interstate component of the travel requires the approval of the Clerk of the Legislative Council as the accountable officer under the *Financial Administration and Audit Act 1985* whilst the international component requires recommendation from the Legislative Council and approval by the Clerk.
- 2.3 The Select Committee proposes to travel between January 30 and February 6 2004 inclusive. An itinerary is attached at Appendix 1.

**3 PERCEIVED BENEFITS**

- 3.1 If the Select Committee is to inquire into and make recommendations in relation to any appointment of a Commissioner for Children for Western Australia, it needs to discuss the merits of such a proposal with those jurisdictions that have already established Offices for Children’s Commissioners. Those Commissioners have personal, direct experience of the strengths and weaknesses of the legislation underpinning their Offices. This is particularly so in New Zealand, where an Office of the Commissioner for Children has been in operation since 1989.<sup>1</sup>
- 3.2 The Select Committee believes the information it requires is best obtained by formal, face to face dialogue with the respective Commissioners of New South Wales, Tasmania, Queensland and New Zealand as well as their senior advisers. This dialogue will provide the Select Committee and Western Australia, with the valuable knowledge of hindsight. Additionally the Select Committee will benefit from information relating to any proposed amendments to the current, empowering

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<sup>1</sup> It was established under the *Children, Young Persons and Their Families Act 1989* (NZ).

legislation in those respective jurisdictions as well as any new developments and initiatives.

3.3 The Select Committee's terms of reference also include a consideration of a number of other matters that will benefit from liaison with the Offices for Children's Commissioners. For example, how those Commissioners have:

- devised legislative and policy impact statements for children;
- co-ordinated across government agencies, the issues affecting children;
- ensured child participation;
- developed a strategy for children;
- investigated complaints and reported on maladministration of government;
- developed research relevant to children; and
- managed the logistics of staffing and budget allocation.

3.4 The Select Committee believes this type of information is more appropriately gathered through informal, face to face discussions with the relevant personnel in New South Wales, Tasmania, Queensland and New Zealand.

**4 ESTIMATED COSTS**

<b>Item</b>	<b>Detail</b>	<b>Total \$</b>
Airfares	5 people x \$5,068.45 ea	25 342.25
Accommodation and meals	5 people x 5 overnights x \$314.80 ea	7 870.00
Laundry, mini bar		500.00
Phone calls, taxi fares, transfers - float		500.00
Sundry Allowance	2 days x \$60/day x 5 people	600.00
<b>Total</b>		<b>\$34,812.25</b> (approx)

**5 CONCLUSION AND RECOMMENDATION**

- 5.1 The Select Committee is conscious of the fact that the proposed travel comes at a cost to the State and does not act lightly in requesting funds. In this instance, the Select Committee is of the view that it would be remiss to report to the Legislative Council on its terms of reference without speaking directly with those who are already working in jurisdictions where Commissioners for Children have been in place for many years.
- 5.2 The Select Committee is confident that there is considerable benefit to be gained from the proposed travel and that, as a consequence, it will be able to present to the Legislative Council a fully informed Report.

**Recommendation 1: That the Legislative Council recommend the Clerk make funds available for the purpose of undertaking the travel proposed in this Report.**



**Hon Barbara Scott MLC**  
Chairman

**Date: December 2 2003**





## **Appendix 1 Itinerary**

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### **Sunday, February 1 2004**

Fly to Wellington, New Zealand via Melbourne  
Overnight Wellington

### **Monday, February 2 2004**

AM & PM meeting  
Overnight Wellington

### **Tuesday, February 3 2004**

AM flight to Hobart  
Overnight Hobart

### **Wednesday, February 4 2004**

AM meeting Hobart  
PM flight to Sydney  
Overnight Sydney

### **Thursday, February 5 2004**

AM meeting Sydney  
PM flight to Brisbane  
Overnight Brisbane

### **Friday, February 6 2004**

AM meeting Brisbane  
PM flight to Perth