



**Joint Standing Committee on the
Commissioner for Children and Young People**

Annual Report 2016-17

**Report No. 1
November 2017**

Parliament of Western Australia

Committee Members for the 39th Parliament

Chair	Ms L.L. Baker, MLA Member for Maylands
Deputy Chair	Hon R.M. McSweeney, MLC Member for South West Region
Members	Ms E. Evangel, MLA Member for Perth
	Hon S.E. Talbot, MLC Member for South West Region

Committee Members for the 40th Parliament

Chair	Hon Dr S.E. Talbot, MLC Member for South West Region
Deputy Chair	Mr K. O'Donnell, MLA Member for Kalgoorlie
Members	Hon. D.E.M. Faragher, MLC Member for East Metropolitan Region
	Mrs J.M.C. Stojkovski, MLA Member for Kingsley

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Presented by

Hon Dr S.E. Talbot, MLC and Mr K. O'Donnell, MLA

Laid on the Table of the Legislative Assembly and the Legislative Council on 2
November 2017

Chair's Foreword

The Joint Standing Committee on the Commissioner for Children and Young People (JSCCCYP) is a Parliamentary oversight committee whose task is to monitor, review and report on the exercise of the Commissioner for Children and Young People's functions. This report reflects the committee's activities from 1 July 2016 to 30 June 2017, incorporating the JSCCCYP from both the 39th and 40th Parliaments.

As a member who served on both committees, I would like to thank the members of the previous JSCCCYP for their advocacy during the 39th Parliament for children and young people in this state. In particular, I would like to credit their work during the lengthy inquiry into responses to child abuse and subsequent report *Everybody's Business: An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse*. The impacts the inquiry continues to have during the current reporting period has been noted by current committee members.

Important recent developments in the way agencies and organisations respond to child abuse—such as trauma informed practice—were examined during the inquiry process and it is pleasing to note that several agencies have indicated a commitment to pursue these practices. The Children's Commissioner provided his support for the committee's findings and has informed the current JSCCCYP that his work is still guided by them. In my view, the lasting impacts of the inquiry highlight the important role the JSCCCYP performs with regard to improving the outcomes for children and young people in WA, and I am very pleased to be able to continue this work in my role as Chair.

During this reporting period, the current JSCCCYP had its inaugural meeting, where members committed to informing themselves about the issues impacting children and young people in this state. This commitment will enable the JSCCCYP to continue to assess the work of the Commissioner in line with its statutory provisions.

I would like to thank the current members for their interest and dedication and I look forward to working with them over the term of this Parliament. I would also like to thank the committee's Principal Research Officer Renée Gould for her dedication to the committee's work over this reporting period and for her ongoing facilitation of the committee's operations.



Hon Dr S.E. Talbot, MLC
Chair

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Chapter 1

Committee Activities

A report on the activities of the Joint Standing Committee on the Commissioner for Children and Young People for the financial year 2016–2017.

Introduction

The 2016–2017 reporting period encompasses two parliamentary sessions. The 39th Parliament was prorogued on 30 January 2017 and dissolved by the Governor on the same date. This dissolution terminated the parliament and its committees, including joint committees. The Joint Standing Committee on the Commissioner for Children and Young People (JSCCCYP) of the 40th Parliament was established on 13 June 2017 pursuant to section 51 of the Commissioner for Children and Young People Act 2006 (the Act).

A summary of the activities of the JSCCCYP during the course of this reporting period – 1 July 2016 to 30 June 2017 – is in Table 1.1.

Table 1.1 Summary of activities of the JSCCCYP, 1 July 2016–30 June 2017

Activity	Number
39th Parliament	
Reports tabled	1
Deliberative meetings	3
Hearings	2
Briefings	Nil
Witnesses appearing	4
40th Parliament	
Reports tabled	Nil
Deliberative meetings	1
Hearings	Nil
Briefings	Nil
Witnesses appearing	Nil

Public Hearings

Pursuant to Standing Order 264, the JSCCCYP has power to send for persons, papers and records. During the period 1 July 2016 to 30 June 2017, the JSCCCYP conducted 2 hearings and took evidence from 4 witnesses. Hearings were primarily related to the committee’s functions to consult regularly with the Children’s Commissioner and review the exercise of the Commissioner’s functions. Witness details are in Table 1.2.

Chapter 1

Table 1.2 Public Hearings of the committee, 1 July 2016–30 June 2017

Date	Name	Position	Organisation
39 th Parliament			
24 August 2016	Mr Colin Pettit	Commissioner for Children and Young People WA	
	Ms Trish Heath	A/Director Policy and Research	Commissioner for Children and Young People WA
19 October 2016	Mr Colin Pettit	Commissioner for Children and Young People WA	
	Ms Trish Heath	A/Director Policy and Research	Commissioner for Children and Young People WA
40 th Parliament until 30 June 2017			
Nil			

Reports Tabled

The JSCCCYP for the 39th Parliament tabled its *Annual Report for 2015–16*. In accordance with the committee’s terms of reference, the examination of the following publications of the Commissioner was incorporated into the report: *Commissioner for Children and Young People Annual Report 2014–15*; “Listen To Us”. *Using the views of WA Aboriginal and Torres Strait Islander children and young people to improve policy and service delivery*; *Our Children Can’t Wait – Review of the implementation of recommendations of the 2011 Report of the Inquiry into the mental health and wellbeing of children and young people in WA*; *Children and Young People from Culturally and Linguistically Diverse Backgrounds Speak Out*, and *Child Safe Organisations WA*. The JSCCCYP’s examination of the following reports published after 30 June 2016 was also included: *Commissioner for Children and Young People Annual Report 2015–16*; *Speaking Out About Raising Concerns in Care*, and the Children Commissioner’s *Work Plan 2016–2018*.

Being their final report, the committee commented on the future of the Commissioner’s role, stating that it was crucial to implement the recommendations made in the report *Everybody’s Business. An examination into how the Commissioner for Children and Young People can enhance WA’s response to child abuse*. Noting that the Children’s Commissioner could not implement these without support from the Government, the committee urged the succeeding JSCCCYP to follow up on this matter in the new Parliament.¹

1 Joint Standing Committee on the Commissioner for Children and Young People, *2015–16 Annual Report*, Parliament of Western Australia, Perth, November 2016, p16.

Work in progress

The committee for the 40th Parliament met only once in this reporting period, convening its inaugural meeting on 21 June 2017.

While outside the reporting period, it is relevant for understanding the committee's work to note that all members attended a comprehensive on-site briefing and tour by the Children's Commissioner at his premises on 4 July 2017.

In addition, in order to strengthen the committee's ability to monitor the Commissioner's work, the JSCCCYP is currently embarking on a series of public hearings, briefings and site visits, inviting expert witnesses to provide independent evidence about how the Children's Commissioner is exercising his functions.

The committee notes that the Commissioner is undertaking a number of significant projects on which he will report within the next twelve months. The JSCCCYP will be examining the outcomes of these projects as the reports become available and determining what role the committee can play in furthering these outcomes to the direct benefit of children and young people in this state.

Finally, as much of the Children Commissioner's current work relates to recommendations made by the JSCCCYP in the 39th Parliament, this committee intends to continue to monitor, examine and review reactions to and implementation of these recommendations during the year to come.

The committee looks forward to reporting in detail next year about the outcome of its planned activities in 2017-18.

Chapter 2

Financial Statement

Expenditure of the JSCCCYP during the financial year

The JSCCCYP does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditure is required on a case-by-case basis and is subject to the approval of the Speaker.

The JSCCCYP is required in accordance with Standing Order 276 to detail expenditure for the financial year 1 July 2016–30 June 2017. The Legislative Assembly dissolved on 30 January 2017 prior to the state election; therefore, two committees operated during the 2016–2017 financial year. The figures tendered below in Table 2.1 cover the full reporting period and therefore also include expenditure by the JSCCCYP of the 39th Parliament.

Table 2.1 Expenditure items of the JSCCCYP, 1 July 2016–30 June 2017

Expenditure item	Total (\$)
Couriers	11
Amenities	164
TOTAL	175

Notes:

- Figures rounded off to nearest \$1.
- Salaries of committee staff are not included.
- Costs of shared administrative expenses, including lease costs for committee accommodation, not included.



Hon Dr S.E. Talbot, MLC
CHAIR

Appendix One

Committee's functions and powers

Joint Standing Committee on the Commissioner for Children and Young People

Terms of Reference

[As originally agreed by both Houses 26 November 2008]

The following was agreed by concurrence between the Legislative Assembly and the Legislative Council on 13 June 2017, establishing the Joint Standing Committee on the Commissioner for Children and Young People:

- (1) Pursuant to section 51 of the Commissioner for Children and Young People Act 2006, a Joint Standing Committee on the Commissioner for Children and Young People be appointed by the Legislative Assembly and the Legislative Council.
- (2) The Joint Standing Committee shall comprise 2 members appointed by the Legislative Assembly and 2 members appointed by the Legislative Council.
- (3) It is the function of the Joint Standing Committee to -
 - i. monitor, review and report to Parliament on the exercise of the functions of the Commissioner for Children and Young People;
 - ii. to examine Annual and other Reports of the Commissioner; and
 - iii. to consult regularly with the Commissioner.
- (4) A report of the Joint Standing Committee will be presented to the Legislative Assembly and the Legislative Council by members of the Joint Standing Committee nominated by it for that purpose.
- (5) The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.