

40TH PARLIAMENT



Joint Standing Committee on the Commissioner
for Children and Young People

Report 4

ANNUAL REPORT 2018-19

Presented by

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

November 2019

Committee Members

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

Committee Staff

Principal Research Officer	Ms Renée Gould (from 29 April 2019)
Acting Principal Research Officer	Ms Michele Chiasson (3 September 2018 to 25 April 2019)
Acting Principal Research Officer	Mr Michael Burton (20 April to 31 August 2018)

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Laid on the Table of the Legislative Assembly and Legislative Council on
28 November 2019

Chair's Foreword

AS Chair of the Joint Standing Committee on the Commissioner for Children and Young People, it is my pleasure to present for tabling the Committee's third annual report in the 40th Parliament.

During the reporting period, the Committee continued to oversee the work of the Children's Commissioner and in particular, to monitor the progress and outcomes of the *Improving the Odds* report and the *Speaking Out Survey*. The Committee kept under review the State Government's ongoing response to the *Royal Commission into Institutional Responses to Child Sexual Abuse*. As part of this review process, the Committee established an inquiry into the child safe standard provisions recommended by the Royal Commission. The Committee's work has highlighted the need to improve oversight provisions across the government and non- government sector.

I would like to thank my fellow Committee members for their commitment and contribution over the year and acknowledge the valuable support of the Committee secretariat.



HON DR S.E. TALBOT, MLC
CHAIR

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Chapter 1

Committee Activities

Introduction

During the course of this reporting period (Table 1.1), the Committee:

- commenced an inquiry into child safe standards
- tabled two reports
- held 16 deliberative meetings
- took evidence from 51 witnesses at 18 public hearings, and held three closed hearings
- held two briefings to gather information in relation to the Committee's inquiries and other matters
- attended one site visit to the Perth Children's Hospital

Table 1.1: Summary of the activities of the Committee, 1 July 2018 – 30 June 2019

Description	Activity
Briefings	2
Deliberative meetings	16
Formal evidence hearings	21
Witnesses appearing (public hearings only)	51
Reports tabled	2
Report findings tabled	8
Report recommendations tabled	2

Functions of the Committee

Pursuant to Section 51 of the *Commissioner for Children and Young People Act 2006* the Joint Standing Committee on the Commissioner for Children and Young People (the Committee) is established by both house of Parliament and its functions are determined by agreement of both houses.¹

Accordingly, the Legislative Assembly and the Legislative Council have agreed the following:

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. examine Annual and other Reports of the Children's Commissioner; and
- iii. consult regularly with the Children's Commissioner²

¹ *Commissioner for Children and Young People Act 2006*, s. 51.

² As originally agreed by both Houses on 26 November 2008.

Public Hearings

Pursuant to Assembly Standing Order 264, the Committee has power to send for persons, papers and records. During the period 1 July 2018 – 30 June 2019, the Committee conducted 18 public hearings, taking evidence from 51 witnesses to assist with its investigations (Table 1.2).

Table 1.2: Public Hearings of the Committee, 1 July 2018 – 30 June 2019

Date	Witness	Position	Organisation
12 September 2018	Ms Maggie Dent	Author and Parenting Educator	Esteem Plus Counselling, Training and Education
19 September 2018	Professor Neil Morgan	Inspector of Custodial Services	Office of the Inspector of Custodial Services
	Mr Darian Ferguson	Deputy Inspector	
	Mrs Christine Wyatt	Acting Principal Research and Review Officer	
	Mr Kieran Artelaris	Inspections and Research Officer	
21 November 2018	Mr Colin Pettit	Commissioner for Children and Young People	Commissioner for Children and Young People
	Mrs Patricia Heath	Director, Policy and Research	
20 March 2019	Professor Neil Morgan	Inspector of Custodial Services	Office of the Inspector of Custodial Services
	Mr Darian Ferguson	Deputy Inspector	
	Ms Rowena Davis	Director, Reviews	
	Mr Kieran Artelaris	Inspections and Research Officer	
28 March 2019	Ms Debora Colvin	Chief Mental Health Advocate	Mental Health Advocacy
28 March 2019	Mr Christopher Field	Ombudsman	Ombudsman Western Australia
	Ms Gwyneth White	Deputy Ombudsman	
	Ms Rebecca Poole	Assistant Ombudsman	
28 March 2019	Mrs Sandra Labuschagne	Acting Auditor General	Office of the Auditor General
	Mr Jason Beeley	Assistant Auditor General	
3 April 2019	Dr Mei-Ling Koay	Executive Director, Patient Safety and Clinical Quality	Department of Health
3 April 2019	Ms Lisa Rodgers	Director General	Department of Education
	Mr Martin Clery	Acting Executive Director, Statewide Services	
	Mr Stephen Baxter	Acting Deputy Director General, Public Schools	

Committee Activities

	Mr Lindsay Hale	Executive Director, Public Schools	
	Mr Mike Cullen	Acting Executive Director, Professional Standards and Conduct	
	Mr Gavin Agacy	Director, Non- government School Regulation	
	Mr Richard Miles	Director, Teacher Registration	
10 April	Ms Michelle Andrews	Director General	Department of Communities
	Ms Helen Nys	Assistant Director General, Policy and Service Design	
	Mr Brad Jolly	Assistant Director General, Commissioning and Sector Engagement	
	Ms Marion Hailes- MacDonald	Assistant Director General, Disability Services	
	Mr Mark Crofts	Director, Standards and Integrity	
	Ms Reneé Gioffre	General Manager, Policy and Service Design	
	Mr Maynard Rye	Manager, Strategic Procurement	
	Ms Simone Bastin	Director, Inclusion Policy and Service Design	
17 April 2019	Dr Aresh Anwar	Chief Executive	Child and Adolescent Health Services
	Dr Kavitha Vijayalakshmi	Consultant Psychiatrist an Executive Director for Medical Services	
	Ms Debra Clements	Manager, Statewide Protection of Children Coordination Unit	
	Ms Patricia Sullivan	Services Co-Director	
17 April 2019	Mr Chris Dawson	Commissioner of Police	Western Australian Police Force
	Ms Sue Young	Acting Assistant Commissioner	
	Mr Hamish McKenzie	Detective Inspector, Sex Crime Division	
17 April 2019	Ms Janette Allen	Acting Deputy Commissioner for Women and Young People	Department of Justice
	Mr Michael Heslington	Superintendent, Banksia Hill Detention Centre	

	M Kati Kraszlan	Acting Commissioner for Victims of Crime	
17 April 2019	Ms Sarah Cowie	Director	Health and Disability Services Complaints Office
8 May 2019	Dr Melissa O'Donnell	Senior Research Fellow	Telethon Kids Institute; University of Western Australia
8 May 2019	Dr Nathan Gibson	Chief Psychiatrist	Office of the Chief Psychiatrist of Western Australia
15 May 2019	Mr Darren Foster	Director General	Department of Premier and Cabinet
	Ms Kim Lazenby	Director, Social Policy Unit	
	Ms Janine Kingston	Acting Director, Social Policy Unit	
	Mrs Nicole McCartney	Acting Director, Aboriginal Policy and Coordination Unit	
12 June 2019	Mr Chris Twomey	Leader, Policy Development and Research	Western Australian Council of Social Services

Briefings

In addition to the formal hearings, the Committee held two briefings. The briefings were used to gain information in relation to the Committee's inquiries as well as other matters of interest (Table 1.3).

Table 1.3: Briefings provided to the Committee, 1 July 2018 – 30 June 2019

Date	Name	Position	Organisation
17 October 2018	Ms Deborah Karasinski	Board Chair	Child and Adolescent Health Service
	Dr Aresh Anwar	Chief Executive	
8 November 2018	Hon. Simone McGurk, MLA	Minister for Child Protection; Women's Interest; Prevention of Family Violence; Community Services	

Reports Tabled

The Committee tabled two reports during the period 1 July 2018 – 30 June 2019:

- Report 2 – Talking to the Experts – Responding to recommendations made by the Commissioner for Children and Young People in the School and Learning Consultation: Technical Report (13 September 2018)
- Report 3 – Annual Report 2017-18 (22 November 2018)

Other Activities

Oversight function

In November 2018, the Committee held a public hearing with the Commissioner for Children and Young People (the Commissioner) to discuss his 2017-18 annual report. During the hearing the Committee focused on the Commissioner's Vulnerability Speaker series; the two Advisory Committees for that reporting year; the youth homelessness project; and the outcomes of the school and early learning consultation.

In addition, the Commissioner's 2017 Report – *Oversight of services for children and young people in Western Australia* – and the recommendations from the *Royal Commission into institutionalised responses to child sexual abuse* were discussed.

During the reporting year, members of the Committee attended the final event in the Commissioner's Vulnerability Speaker Series. Following this series, the Commissioner published a report - *Improving the odds for WA's vulnerable children and young people*.

The Committee resolved to discuss the outcomes and recommendations from the *Improving the Odds* report with the Commissioner. The Committee will continue to monitor the progress of the Commissioner's *Speaking Out Survey*.

The Committee will convene a public hearing with the Commissioner for Children and Young People to examine the Commissioner's 2018-19 Annual Report.

Inquiry

On 28 November 2018, the Committee resolved to conduct an Inquiry into child safe standards by examining the scope and direction of the work undertaken by the government, regulatory bodies and non-government organisations to improve the monitoring and implementation of child safe standards. The Inquiry also includes an examination of how the Commissioner for Children and Young People's oversight can ensure the interests of children and young people are protected and enhanced.

The Committee subsequently called for submissions and embarked on an in-depth series of hearings with the relevant agencies responsible for overseeing children services in Western Australia.

Much of the evidence received by the Committee demonstrates the need for a broader approach to child safety that also considers the wellbeing of children, their families and communities. The Committee notes that the National Principles for Child Safe Organisations, endorsed by COAG, have been broadened to embed child wellbeing in the standards the Western Australian government is committed to implementing. The Children's Commissioner's *Improving the Odds* report similarly recommended the establishment of a whole-of-government wellbeing strategy.

The evidence also highlights the importance of considering the needs of all children, not just those at risk. The Committee intends to report the outcomes of its inquiry during the next reporting period.

Chapter 2

Financial Statement

The Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditures is required on a case-by-case basis and is entirely at the discretion of the Speaker.

The Committee's expenditure for the financial year 1 July 2018 – 30 June 2019 (in accordance with Standing Order 276) is detailed below:

Table 2.1: Expenditure items of the Committee, 1 July 2018 – 30 June 2019

Expenditure Item	Amount (\$)
Advertising	1,966.00
Printing	382.00
Miscellaneous	617.00
TOTAL	2,965.00

Notes:

- Figures rounded off to nearest \$100.
- 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



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